

Clerk

**TOWN BOARD MEETING
AGENDA
JULY 17th , 2001**

ROBERT F. KOZAKIEWICZ, Supervisor

**Edward Densieski, Councilman
Philip Cardinale, Councilman**

**Christopher Kent, Councilman
James Lull, Councilman**

**Barbara Grattan, Town Clerk
Dawn Thomas, Town Attorney**

ELECTED OFFICIALS

**Laverne Tennenberg
Madelyn Sendlewski
Paul Leszczynski
Mark Kwasna
Diane M. Stuke
Richard Ehlers
Allen M. Smith**

**Chairwoman Board of Assessors
Board of Assessors
Board of Assessors
Highway Superintendent
Receiver of Taxes
Town Justice
Town Justice**

DEPARTMENT HEADS

**John J. Hansen
Leroy Barnes
Andrea Lohneiss
Ken Testa
Richard Hanley
Chief Joseph Grattan
Jane Vanden Thoom
Judy Doll
John Reeve
Michael Reichel
Gary Pendzick**

**Accounting Department
Building Department
Community Development
Engineering Department
Planning Department
Police Department
Recreation Department
Senior Services
Sanitation Department
Sewer District
Water Department**

Petition

Riverhead Residents asking the Town Board to approve the Riverhead Fire Department Burn Building

Resignations:

Letter of resignation from Trina Miles

Leave of Absence:

Letter requesting leave of absence from Cynthia Trent

Coastal Environmental Corp.:

Letter regarding Riverhead Fire Departments proposed burn building

Louisa T. Hargrave:

Expressing concern about the Riverhead Fire Departments' proposed burn building

Elizabeth Topham:

Concern about the Riverhead Fire Departments' proposed burn building

Lillian M. Wirth:

Expressing opposition of the burn building

Linda Slezak:

Concern about the Riverhead Fire Departments' proposed burn building

Marguerite Hartill:

Expressing opposition of the burn building

Christopher McCarthy:

Expressing opposition of the burn building

Diane Kaczorowski:

Expressing opposition of the burn building

COMMITTEE REPORTS

PUBLIC HEARINGS

7:00 P.M.

Proposed Moratorium on Subdivisions in the Agriculture 'A' District

7:05 P.M.

Special Permit of Demir Petroleum

PUBLIC COMMENT ON ANY RESOLUTIONS LISTED BELOW:
Community Development Agency Meeting:

- #19** Authorizes Chairman to Execute Agreement with Long Island Development Corporation for Use of a Portion of the Calverton Facility for One Year for the Provision of Small Business Assistance to the East End of Long Island
- #20** Authorizes Chairman to Execute License Agreement with Rosewood Management, Inc. for Use of a portion of the Calverton Facility for the North Fork Classic

Regular Town Board Meeting:

- #763** Approves the Application of Larry's Lighthouse Marina
- #764** Approves the Application of Cooperage Inn
- #765** Approves the Application of Living Water Full Gospel Church
- #766** Authorization to Reject and ReBid for 69KV Pole Replacement & Related Work
- #767** Adopts a Local Law Amending Chapter 101 Entitled, "Vehicles and Traffic" of the Riverhead Town Code
- #768** Adopts a Local Law Amending Chapter 48 Entitled, "Beaches and Recreation Centers" of the Riverhead Town Code
- #769** Twomey Avenue Ext. #67 Capital Project Budget Adoption
- #770** General Fund Budget Adjustment
- #771** Joint Scavenger Waste District Budget Adjustment
- #772** Park and Recreation Fund Budget Adjustment
- #773** Revolving Loan Program Budget Adjustment
- #774** Ray Zaleski Farmland Preservation Capital Project Budget Adoption
- #775** Community Development Block Grant Budget Adjustment

- #776** Appoints a Fill-In Lifeguard to the Recreation Department (M. May)
- #777** Appoints a Fill-In Lifeguard to the Recreation Department (M. Hays)
- #778** Appoints a Beach Attendant to the Recreation Department J. Collins)
- #779** Promotion to Auto Mechanic IV (R. Warner)
- #780** Promotion to Auto Mechanic III (T. Zaveski)
- #781** Accepts Resignation of Trina Miles as the Town Board Coordinator
- #782** Authorizes the Town Clerk to Publish and Post a Help Wanted Ad for Part Time Homemaker for the Senior Citizen Department
- #783** Authorizes the Town Clerk to Publish and Post a help Wanted Ad for Town Board Coordinator
- #784** Authorizes Attendance of One Detective at Magloclen Training Conference, Troy, New York
- #785** Authorizes Attendance of One Detective at Magloclen Training Conference, Newtown, PA.
- #786** Authorizes Training at a National Animal Control Association Training Course
- #787** Approves Temporary Sign Permit of the Horizon
- #788** Accepts Offer of Sale of Development Rights (Raymond and Cecilia Zaleski)
- #789** Substitutes Performance Bond of Sound Breeze Subdivision (Section 5 & 6) with Maintenance Bond
- #790** Authorizes Town Clerk to Publish and Post Notice of Public Hearing- Special permit of Joseph Sciotto
- #791** Order Calling Public Hearing- Purchase of Vacuum Tank Truck System- RSD

- #792** Order Calling Public Hearing- Increasing Prior Authorization for Alarm System- RSD
- #793** Authorizes Town Clerk to Publish and Post Public Notice for a Local Law to Repeal and Replace Chapter 107 Entitled, "Wetlands, Floodplains and Drainage" of the Riverhead Town Code
- #794** Declares Lead Agency and Determines Environmental Significance of Condemnation of Real Property at Railroad Avenue, Riverhead
- #795** Scheduling a Public Hearing Pursuant to Article 2 of the New York State Eminent Domain Procedure Law in Connection with the Condemnation of 201 Railroad Street, SCTM 0600-128-03-005, Riverhead, NY
- #796** Scheduling a Public Hearing Pursuant to Article 2 of the New York State Eminent Domain Procedure Law in Connection with the Condemnation of 217 Railroad Street, SCTM: 0600-128-03-004, Riverhead, NY
- #797** Scheduling a Public Hearing Pursuant to Article 2 of the New York State Eminent Domain Procedure Law in Connection with the Condemnation of 207 Railroad Street, SCTM: 0600-128-03-006, Riverhead, NY
- #798** Scheduling a Public Hearing Pursuant to Article 2 of the New York State Eminent Domain Procedure Law in Connection with the Condemnation of 210 Court Street, SCTM 0600-128-03-010, Riverhead, NY
- #799** Scheduling a Public Hearing Pursuant to Article 2 of the New York State Eminent Domain Procedure Law in Connection with the Condemnation of 204 Court Street, SCTM: 0600-128-03-011, Riverhead, NY
- #800** Order Calling Public Hearing- Extension to the Calverton Sewer District- Calverton Business Incubator
- #801** Order Calling Public Hearing- Extension 64 to the Riverhead Water District- Calverton Business Incubator
- #802** Approves Site Plan of Suffolk County National Bank
- #803** Approves Special Permit of Mid Road Properties

- #804** Amends Resolution #824 of 1999- Approves Special Permit Petition of Foxwood Village II
- #805** Approves Change of Zone Petition of Mid Road Properties
- #806** Accepting Resignation of Marybeth Vail
- #807** Authorizes Town Clerk to Publish and Post Notice for a Public Hearing on the Special Permit Petition for William Dries & Anthony Specchio
- #808** Authorizes Town Clerk to Publish and Post Notice for a Public Hearing on the Special Permit Petition of T.S. Haulers
- #809** Authorizes the Town of Riverhead to Remove Rubbish, Debris and the Cutting of Grass and Weeds from Property Pursuant to Chapter 96 Entitled, "Trash, Rubbish and Refuse Disposal" of the Riverhead Town Code (350 Hamilton Avenue, Riverhead, NY)
- #810** Approves Request for Leave of Absence (C. Trent)
- #811** Pays Bills
- #812 Approves Temporary Sign Permit of Hallmark Chiropractic
- #813 Authorizes Town Clerk to Post and Publish Public Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 101 (Vehicles & Traffic) of the Riverhead Town Code
- #814 Authorizing the Transfer of County Owned Property (Nugent Drive) to the Town of Riverhead
- #815 Authorizes the Town Clerk to Publish and Post a Help Wanted Ad for Part Time Bus Driver
- #816 Authorizes Supervisor to Execute Modification of Ambulance Contract Modifying Insurance Provision

Adopted

Town of Riverhead Community Development Agency

Resolution # 19

Authorizes Chairman to Execute License Agreement with Long Island Development Corporation for Use of a Portion of the Calverton Facility for One Year for the Provision of Small Business Assistance to the East End of Long Island

Member

COUNCILMAN DENSIESKI

offered the following resolution,

which was seconded by Member **COUNCILMAN LULL**

WHEREAS, at the request of New York State Empire State Development Corporation Regional Director Henry Mund, Long Island Development Corporation has requested a license agreement for 132 square feet in Guard House, as well as shared uses with the Town of Riverhead of the adjoining conference room for up to one year for the purposes of establishing a regional economic development office; and

WHEREAS, by Resolution #13 of the CDA, the Chairman was authorized to execute a License Agreement with the New York State Empire State Development Corporation for its use of a portion of the Guard House at the Calverton Enterprise Park; and

WHEREAS, the Empire State Development Corporation has requested that the CDA instead execute said License Agreement with the Long Island Development Corporation, as a private corporation; and

WHEREAS, the Town Board desires to encourage additional jobs and tax revenues for the benefit of eastern Long Island residents; and

WHEREAS, this Town Board has balanced such interests and hereby makes the following findings:

1. That proposed uses under the license agreements are consistent with the objectives of the Town's Zoning Ordinance;
2. There is a clear mutuality of purpose and goals in this action being that the same elected representatives serve as members of the CDA and the Town Board; and

WHEREAS, the licensee will accept the License Premises "as is" and will be responsible for the cost of utilities and all start-up costs including, but not limited to the provision of office equipment, furniture, supplies, copy machine, phone(s) and fax machine, required or desired for the Licensee's use of the premises.

THEREFORE, BE IT RESOLVED, that the CDA hereby authorizes the Chairman to execute the license agreement substantially in the form attached hereto, which replaces that previously authorized by CDA Resolution #13.

AND BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Community Development Agency Director Andrea Lohneiss, Town Attorney Dawn Thomas and Long Island Development Corporation President Roslyn D. Goldmacher.

The Vote:

Member Densieski

Member Cardinale

Member Kent

Member Lull

Chairman Kozakiewicz

THE VOTE

Densieski ☒ Yes ☐ No Cardinale ☐ Yes ☒ No

Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No

Kozakiewicz ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

LICENSE

LICENSE ("License"), made as of the ___ day of ~~May~~ 2001, by and between **THE TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY**, having an address at 200 Howell Avenue, Riverhead, New York 11901, Attention: Andrea Lohneiss ("Licensor"), and **Long Island Development Corporation (LIDC)**, a corporation of the State of New York, having an address at 255 Executive Drive, Plainview, NY, 11803 Attention: Roslyn D. Goldmacher, President ("Licensee").

WITNESSETH:

WHEREAS, Licensor desires to license to Licensee, and Licensee desires to license from Licensor, the right to use approximately 132 square feet in Guard House as depicted on Exhibit A (the "License Premises") located at the property formerly known as the Naval Weapons Industrial Reserve Plant, Department of Defense Number 466, Calverton, New York (the "Calverton Site"), as well as shared use of the adjoining conference room, upon all of the terms and conditions hereinafter set forth;

NOW, THEREFORE, in consideration of the mutual agreements herein contained, Licensor and Licensee, for themselves, their successors and assigns, hereby agree as follows:

1. **LICENSING.** Upon the terms and conditions hereinafter set forth, Licensor hereby licenses to Licensee, and Licensee hereby Licenses from Licensor, the right to use the License Premises.
2. **TERM OF LICENSE.** The term of this License (the "Term") shall commence on October 1, 2001 (the "License Commencement Date") and shall end on October 1, 2002 (the "Expiration Date") or on such earlier date upon which this License shall expire or be canceled or terminated pursuant to any of the conditions or covenants of this License or pursuant to law. Notwithstanding anything to the contrary contained in this License, Licensor shall have the right, exercisable in its sole discretion, to terminate this License effective immediately upon written notice from Licensor to Licensee, if (i) Licensee shall default under or be in breach, of any of its obligations, representations or warranties hereunder and (ii) such default continues for (x) five days after written notice from Licensor with respect to monetary defaults or (y) thirty days after written notice from Licensor with respect to nonmonetary defaults. If Licensor shall so terminate this License, from and after the termination date neither party hereto shall have any rights or obligations hereunder other than those that, pursuant to the express terms hereof, survive termination of this License; provided that Licensee shall remain liable to Licensor for any default or breach by Licensee that occurred prior to such termination. Furthermore, this License is not, and shall not be construed to be, a lease or a sublease and nothing contained in this License shall be construed as granting to Licensee any interest or right as tenant or subtenant or any other interest or right other than the interest of a Licensee in accordance with the terms and provisions hereof.
3. **CONDITIONS OF LICENSE PREMISES.** Licensee agrees to accept the License Premises "as is," and Licensor shall have no obligation to perform any work or repairs on behalf of Licensee. Licensee acknowledges that no representations with respect to the condition of the License Premises, or with respect to any improvement or fixtures thereon or attached thereto, have been made to it. Licensee acknowledges responsibility for all start-up costs including, but not limited to electric meter,

office equipment, furniture, supplies, copy machine, phone(s) and fax machine, that are anticipated for the Licensee's use of the premises. Said costs shall be borne by the Licensee. Subsequent to sale of the premises, Licensee shall be responsible for trash collection, cleaning and all utilities.

4. LICENSE FEE. There shall be no license fee.

5. SECURITY DEPOSIT. There shall be no security deposit.

6. USE; COVENANTS. (a) Licensee shall use the License Premises only for the purpose of establishing a regional economic development office from October 1, 2001 through October 1, 2002, to prepare the premises for the same and to clean and restore the License Premises, in each case, in accordance with, and subject to, the terms and provisions of this License.

(b) Licensee, at its own cost and expense, shall protect, maintain, and keep in good order, the License Premises.

(c) No additions to, or alterations of, the License Premises shall be made without the prior consent of Licensor. Upon revocation or surrender of this License, to the extent directed by Licensor, Licensee shall remove all alterations, additions, betterments and improvements made, or installed, and restore the License Premises to the same, or as good condition as existed on the date of entry under this License, reasonable wear and tear excepted.

(d) Licensee shall be liable for any loss of, or damage to, the Calverton Site incurred in connection with the use and shall make such restoration or repair, or monetary compensation as may be directed by Licensor. Licensee shall maintain, at a minimum, the types and amounts of insurance evidenced by the certificates attached hereto as Exhibit B. Licensee agrees that not less than thirty (30) days prior to the expiration of any insurance required by this License, it will deliver to Licensor's local representative a certificate of insurance or a certified copy of each renewal policy to cover the same risks. Each policy of insurance required hereunder shall name Licensor and Grubb & Ellis Management Services, Inc. as additional insureds. In the event that any item or part of the Calverton Site shall require repair, rebuilding or replacement resulting from loss or damage, the risk of which is assumed under this Section 6, Licensee shall promptly give notice thereof to Licensor and shall, upon demand, either compensate Licensor for such loss or damage, or rebuild, replace or repair the item or items of the Calverton Site so lost or damaged, as Licensor may elect. In the event Licensee shall not have been required to effect such repair, rebuilding, or replacement, and the insurance proceeds allocable to the loss or damage which has created the need for such repair, rebuilding or replacement have been paid to Licensee, Licensee shall promptly refund to Licensor the amount of such proceeds.

(e) Without limiting the generality of any other provision of this Agreement, Licensee hereby covenants and agrees that (i) at all times during the Term, adequate private supervision shall be present at the Calverton Site to protect persons and property at the Calverton Site and (ii) Licensee shall provide ample vehicles, personnel, equipment and containers to clean the License Premises and insure that the same is restored to as good condition, subject to reasonable wear and tear, on the Expiration Date as it was in on the License Commencement Date.

(f) In connection with the performance of work under this License, Licensee agrees not to discriminate against any employee or applicant for employment because of race, religion, color, or national origin. The aforesaid provision shall include, but not be limited to, the following:

employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Licensee agrees to post hereafter in conspicuous places available for employees and applicants for employment, notices to be provided by Licensor setting forth the provisions of the nondiscrimination clause. Licensee further agrees to insert the foregoing provision in all subcontracts hereunder, except subcontracts for standard commercial supplies or raw materials.

7. **ASSIGNMENT AND LICENSING.** Notwithstanding anything to the contrary contained in this License, Licensee shall not assign this License, License the License Premises in whole or in part or permit Licensee's interest in this License to be vested in any party other than Licensee by operation of law or otherwise. A transfer of more than fifty (50%) percent at any one time or, in the aggregate from time to time, of the stock, partnership or other ownership interests in Licensee, direct or indirectly, shall be deemed to be an assignment of this License.

8. **LICENSOR'S REMEDIES.** (a) If Licensee fails to perform any of its obligations hereunder in accordance with the terms hereof, then, after reasonable notice to Licensee not to exceed thirty (30) days, and an opportunity for Licensee to cure such failure, (except in case of emergency) Licensor may (but shall not be obligated to) cure such failure at the expense of Licensee, and the amount incurred by Licensor in connection with such cure shall be payable by Licensee to Licensor on demand.

(b) Except as provided in Paragraph 2 and in the immediately following sentence, in the event of a breach by Licensee hereunder, Licensor shall be limited to an action at law for damages. Notwithstanding the foregoing, in the event that Licensee holds over after the expiration of the Term, (i) Licensee shall be obligated to pay Licensor an amount equal to \$250 per diem for each day of the holdover term and (ii) Licensor shall have all of the rights and remedies available to it at law or in equity, including, without limitation, the right to exercise self help and to dispossess Licensee of the License Premises, change the locks on the License Premises, deny Licensee access to the License Premises and take possession of or dispose of any property at the License Premises, all at the cost and expense of Licensee. Except as provided in Paragraph 2, in no event shall Licensor have the right to enjoin the development, production, distribution or exploitation of the event hereunder.

9. **INDEMNITY.** (a) Licensee shall indemnify and hold Licensor harmless from and against any and all claims, actions, liabilities, losses, damages (including, without limitation, consequential and special damages), costs and expenses (including, without limitation, court costs and reasonable attorneys' fees and expenses) arising from or in connection with (i) the use or occupancy by Licensee of the License Premises during the term hereof, or (ii) any work or thing done or any condition created by or any other act or omission of Licensee or its employees, agents, contractors, visitors or licensees, in the License Premises or any other part of the Calverton Site in connection with Licensee's use of the License Premises, or (iii) Licensee's failure to perform any of the obligations imposed on it hereunder.

(b) The foregoing indemnity does not include any claims, actions, liabilities, losses, damages, costs and expenses resulting from Licensor's gross negligence or willful misconduct.

(c) This indemnification on the part of the Licensee shall include the Town of Riverhead, the Town of Riverhead Community Development Agency, Grubb & Ellis and all and any of its agents.

10. **BROKERS.** Licensee represents that it has not dealt with any broker or finder with respect to this License. Licensee agrees to indemnify and hold Licensor harmless from and against any and all loss,

liability, damage, cost and expense (including, but not limited to, court costs and reasonable attorneys' fees and expenses) which Licensor may incur or sustain in connection with any claim or action by any broker or finder that may be asserted against Licensor as a result of any conversations, correspondence or other dealings between Licensee and such broker or finder.

11. **NOTICES**. Any notices to be given under this License shall be in writing and shall be sent by registered or certified mail, return receipt requested. If such notice is directed to Licensee, it shall be addressed to Licensee at 255 Executive Drive, Plainview, NY, Attention: Roslyn D. Goldmacher, President, and if such notice is directed to Licensor, it shall be addressed to Licensor at 200 Howell Avenue, Riverhead, New York 11901, Attention: Andrea Lohneiss. Either party may, by notice in writing, direct that future notices be sent to a different address and to the attention of such other people as either Licensor or Licensee shall designate.

12. **HAZARDOUS SUBSTANCES**. (a) **Generally**. Licensee shall not generate, store, manufacture, refine, transport, treat, dispose of, or otherwise permit to be present on or about the License Premises, any Hazardous Substances (other than Hazardous Substances (x) customarily used in events such as the Event and (y) used, stored, transported, and disposed of in strict compliance with applicable law). As used herein, the term "Hazardous Substances" shall mean any flammables, explosives, radioactive materials, hazardous wastes, hazardous and toxic substances or related materials, asbestos or any materials containing asbestos, or any other hazardous or toxic substance or material as defined by any Federal, State or local environmental law, rule or regulation, including, without limitation, the Resource Conservation and Recovery Act of 1976, as amended from time to time, the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended from time to time, the Toxic Substances Control Act, as amended from time to time, the Hazardous Materials Transportation Act, as amended from time to time, and the regulations adopted and the publications promulgated pursuant to each of the foregoing.

(b) **Indemnification**. Licensee shall indemnify and hold harmless Licensor from and against any and all liabilities, damages, claims, losses, penalties, judgments, causes of action, costs and expenses (including, without limitation, court costs and the reasonable fees and expenses of counsel) which may be incurred by Licensor directly arising out of any breach by Licensee of the obligations imposed upon it under this Section 12. The foregoing indemnity shall survive the expiration or sooner termination of this License.

13. **MISCELLANEOUS**. (a) **Merger**. All prior understandings and agreements between the parties with respect to the subject matter hereof are merged within this License, which alone fully and completely sets forth the understanding of the parties with respect to the subject matter hereof. This License may not be changed or terminated orally or in any manner other than by a writing signed by the party against whom enforcement of the change or termination is sought.

(b) **Successors and Assigns**. This License shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and permitted assigns. The term "Licensor," as used in this License, shall mean only the owner from time to time of the License Premises, so that in the event of any transfer or assignment of the License Premises, the transferor or assignor shall be and hereby is entirely freed and relieved of all covenants, obligations and liability of Licensor under this License, and it shall be deemed, without further agreement, that the transferee or

assignee has assumed and agreed to perform and observe all obligations of Licensor under this License during the period that such transferee or assignee is the owner of the interest of License Premises.

(c) Licensee represents that this License has been duly authorized, executed and delivered by Licensee and is enforceable against Licensee in accordance with its terms.

(d) Neither Licensor nor any tenant, nor other party now or hereafter having an interest in the Calverton Site, shall have any right of action based upon invasion of privacy, publicity, defamation, or other civil rights, in connection with the exercise of the permission and/or rights herein granted.

IN WITNESS WHEREOF, Licensor and Licensee do hereby execute this License as of the date and year first above written.

LICENSOR:

**THE TOWN OF RIVERHEAD COMMUNITY
DEVELOPMENT AGENCY**

By: _____
Name:
Title:

LICENSEE:

LONG ISLAND DEVELOPMENT CORPORATION

By: _____
Name:
Title:

EXHIBIT A

132 Square Feet

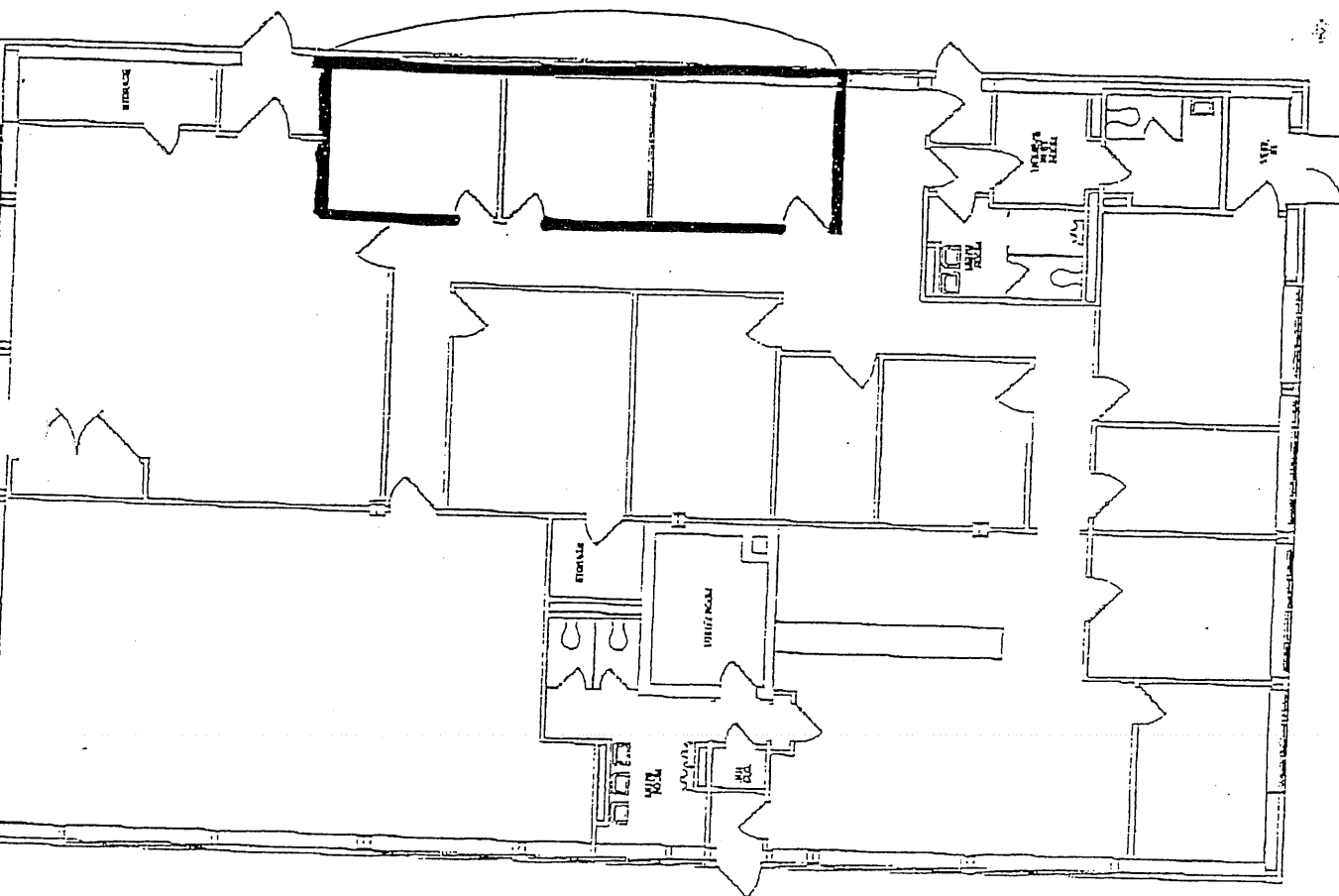


EXHIBIT B

Insurance Certificates:

Liability – minimum \$1 million per occurrence

Fire Damage legal - \$100,000 minimum

Auto liability – minimum \$1 million per occurrence

Building contents – as desired

Worker's compensation – as required by law

Note: The conditions of Paragraph 7 (d) regarding additional insureds, 30 day notification etc.. must be complied with and reflected in the Certificate of Insurance provided by the Licensee prior to execution of the License.

7/17/01

Adopted

Town of Riverhead Community Development Agency

Resolution #20

Authorizes Chairman to Execute License Agreement with Rosewood Management, Inc. for use of a portion of the Calverton Facility for the North Fork Classic

COUNCILMAN LULL

_____ offered the following resolution which was
seconded by COUNCILMAN DENSIESKI

WHEREAS, Rosewood Management, Inc., has requested a license agreement for use of the former picnic grounds at the Calverton Enterprise Park for the North Fork Classic and associated horse events on August 9, 10, 11, 16, 17, 18, 21, 22, 23, 24, 25; and

WHEREAS, the Town Board desires to encourage tourism throughout the town with the associated secondary economic impact to the local businesses; and

WHEREAS, the Town of Riverhead CDA will receive \$5,000 for the 11 day event payable upon the execution of the Agreement.

THEREFORE, BE IT RESOLVED, that the CDA Board authorizes the Chairman to execute the license agreement substantially in the form attached hereto with Rosewood Management, Inc. upon receipt and approval by the Town Attorney of all applicable permits and approvals, adequate insurance, the license fee by certified check, and applicable escrow funds.

BE IT FURTHER RESOLVED, that the Town Clerk shall provide certified copy of this resolution to Community Development Agency Director, Andrea Lohnneiss, Town Attorney, Dawn Thomas, and Bobby Ginsberg, Rosewood Management, Inc.

The vote:

Member Densieski _____

Member Cardinale _____

Member Kent _____

Member Lull _____

Chairman Kozakiewicz _____

THE VOTE
Densieski ☒ Yes ☒ No Cardinale ☒ Yes ☒ No
Kent ☒ Yes ☒ No Lull ☒ Yes ☒ No
Kozakiewicz ☒ Yes ☒ No
THE RESOLUTION WAS ☒ WAS NOT ☒
THEREUPON DULY ADOPTED

LICENSE AGREEMENT FOR NORTH FORK CLASSIC HORSE SHOW

This Contract is made and entered into as of this ____ day of July , 2001, by and between **Riverhead Community Development Agency**, a public instrumentality of the Town of Riverhead, County of Suffolk and State of New York (CDA) and Robert Ginsburg, d/b/a Rosewood Management, Inc., (hereinafter "RMI") a corporation duly organized and existing under the laws of the State of New York having a principal place of business at _____, New York:

WHEREAS, RMI, is in the business of organizing and promoting horse show events for the general public; and

WHEREAS, CDA controls approximately 2900 acres of land in Calverton, New York, commonly known as Calverton Enterprise Park, hereinafter referred to as the "Property" and being depicted on the attached Exhibit A; and

WHEREAS, RMI desires to stage and promote an outdoor horse show event commonly known as "The North Fork Classic" on the Property between August 9 through August 25, 2001(the "Event"); and

WHEREAS, RMI and CDA have agreed to terms under which RMI will be granted the use of certain land, buildings, facilities and/or equipment at the Property;

NOW THEREFORE, in consideration of the mutual covenants hereinafter set forth, the parties agree as follows:

1. Use of Property: CDA hereby grants RMI, a License providing RMI with temporary and occupancy use of the Property depicted on the attached Exhibit A (including buildings, facilities and equipment, if any, as described in said Exhibit A), upon the terms and conditions set forth hereunder. This License will provide RMI and its employees, representatives, agents and concessionaires with access to the Property from August 1 through August 31, 2001 to accommodate the set up for the Event and the completion of garbage and rubbish cleanup actions required for all land and facilities under paragraph 4 below for the purpose of preparing the grounds for the Event to be staged hereunder, including the construction and installation of an outdoor stages, amusement rides, medical facilities, ticket booths, concession stands for food, beverages and merchandise, and other temporary structures and facilities necessary, appropriate or incidental to the staging of the Event.
2. Compliance With Laws: RMI will at all times comply with all applicable federal, state, county and municipal laws, regulations, ordinances, codes and restrictions, including, without limitation, compliance with Article 28 of the New York State Tax Law and applicable regulations thereunder, and will secure any and all permits or licenses required for its activities and operations carried out at the Property. Without limiting the generality of the foregoing, to the extent required by law, RMI, will secure a "Mass Gathering Permit" or such other assembly permit as is deemed necessary to conduct the Event from any municipality having jurisdiction over the Event from the

Commissioner of the Suffolk County Department of Health prior to holding the Event. CDA. agrees to provide information at its disposal and otherwise cooperate with RMI, in pursuing its application for any such permit(s) or license(s).

3. Compensation: In exchange for License set forth above for the use of the Property, RMI, will pay CDA Five Thousand (\$5,000.00) Dollars. All sums payable by RMI to CDA under this Agreement shall be made on or before August 1, 2001.

4. Responsibilities of RMI: Subject to the terms of this Agreement, RMI will be responsible for carrying out and shall have exclusive control of all operations associated with the Event and related activities, including without limitation, all food and beverage concessions, merchandising, parking, any video or audio filming or taping of the Event, security for the Event, provision of emergency medical services, lay-out and administration, and operation of sanitary facilities. RMI agrees to water the parking area on each day that no rain falls and that it will keep the parking area properly mowed so as to prevent the likelihood of fire. The Event will be subject to a pre-opening inspection by the appropriate Building Department officials and the Fire Marshal. Following the Event, RMI will promptly commence garbage and rubbish removal and cleanup (hereafter, the cleanup and shall diligently and continuously engage in such cleanup efforts so that the cleanup will be accomplished as soon as reasonably practicable (but in no event later than August 31 , 2001). Buildings, facilities and grounds will be restored to the condition that existed prior to the Event (hereafter, the "restoration") and be

completely clean and free of clutter and debris. RMI will remove all refuse, rubble, garbage and debris created by the Event or RMI's activities at the Property and dispose of the same in at an appropriate waste facility.

In order to provide assurance that there will be sufficient resources to complete the cleanup and the restoration as set forth in the preceding paragraph, RMI, will deposit the sum of Ten Thousand (\$10,000.00) Dollars (the "Escrow Funds") with the Town of Riverhead, which Escrow Funds will be disbursed by the Escrow Agent in accordance with this Agreement. The Escrow Funds shall be deposited by RMI., as provided above on or before August 1, 2001. The Escrow Funds shall be disbursed as directed jointly by the parties hereto, except as otherwise provided herein. CDA and RMI, agree that the Escrow Funds shall be disbursed in satisfaction of costs associated with the cleanup and the restoration until the same are completed to the reasonable satisfaction of CDA. CDA agrees that Escrow Funds will be released upon the approval of the cleanup and restoration of the Property by the CDA, which approval will not be unreasonably withheld. Upon completion of all cleanup and restoration work hereunder by RMI, to the reasonable satisfaction of CDA, any unexpended balance of the Escrow Funds will be returned to RMI. In the event that RMI and CDA cannot agree whether a reasonable cleanup and/or restoration standard has been accomplished, such dispute shall be resolved in accordance with the dispute resolution provisions of this Agreement. In the event that RMI, fails for any reason (other than a disagreement as to whether the cleanup standard has been met) to complete its cleanup and restoration work hereunder to the reasonable satisfaction of CDA, CDA shall have the right, after notice to RMI,

to apply any unexpended balance of the Escrow Funds toward the reasonable costs and expenses of completing such cleanup and/or restoration work; provided that any remaining unexpended Escrow Funds after the completion of such work by CDA will be returned to RMI

5. Septic Waste. RMI, will be responsible for the handling, storage, processing (i.e., screening of foreign objects), treatment and disposal of all waste from portable toilets generated in connection with the Event and related activities. The parties shall cooperate in identifying and specifying methods of handling, storing, processing, treating and disposing of the waste.
6. Security. RMI will provide all security services reasonably necessary to protect the health and safety of the horse show goers as well as the general public, and generally to protect against damage to or loss of property, including the land, buildings, equipment and/or facilities provided by CDA hereunder for use in connection with the Event. RMI will undertake all necessary coordination with state, county and local law enforcement agencies and will pay any costs, fees or expenses associated with acquiring necessary services from such law enforcement agencies, including, without limitation, the fees or expenses associated with such law enforcement services. RMI agrees that security, including that which prevents access into the balance of the CDA property, shall be provided to the site on a 24 hour per day basis. In addition, RMI shall be required to provide two persons to man the main entrance gate to the horse show site on a twenty four hour to allow horse owners and vendors access to the site when necessary.

7. Insurance and Indemnification: RMI will be responsible for providing comprehensive general liability insurance in the amount of not less than \$10,000,000 with a company or companies reasonably satisfactory to the CDA. [In addition, RMI will provide casualty insurance on the buildings, structures, equipment and facilities within the Property at their full replacement cost.] RMI shall provide certificates of the foregoing insurance, showing CDA, the Town of Riverhead and Grubb & Ellis, Inc. as additional insureds to the extent of their interest. Finally, RMI, agrees to indemnify and hold CDA, the Town of Riverhead and their respective officers, employees, agents, representatives and officials harmless from any and all loss or liability associated with the Event and related activities described herein, including liability for damages to property or for injuries or death to persons which may arise from, or be attributable or incident to the use by RMI and its employees, agents, representatives and concessionaires, or any horse show attendee, of the Property, excepting liability solely caused by the gross negligence CDA or its employees, agents or representatives. Without limiting the generality of the foregoing, RMI agrees to indemnify and hold CDA harmless from any lien claimed or asserted for labor, materials or services furnished to RMI in connection with the horse shows or related events. With respect to any suit or claim by CDA whether under this indemnification provision or otherwise, RMI, for itself, its agents, employees and representatives, hereby expressly waives any defense which might preclude or limit either enforcement of this indemnification clause or any reasonable attorneys fees incurred by CDA securing compliance with the provision of this indemnification agreement.

8. Miscellaneous Responsibilities of RMI : Except with respect to any specific services, equipment and facilities to be provided by CDA under this Agreement, RMI will be responsible for acquiring all services and materials and otherwise for carrying out all actions necessary for the Event and related activities to take place, including, but not limited to, all planning, marketing, promotions, sponsorship, operations, concessions, garbage removal, cleanup, construction and demolition or removal of all temporary structures, development and removal of systems to deliver adequate supplies of potable water, portable toilets, systems for removal of wastewater, ticketing, security, emergency medical service, traffic control, electrical power and communications. RMI will obtain all necessary licenses, permits and approvals required for the Event and for construction of any temporary structure or system to be used at the Property in connection with the Event or related activities. In addition, RMI will take all actions necessary to restore the property to its condition existing prior to the commencement of operations under this agreement, including, without limiting the generality of the foregoing, the removal of all temporary structures and systems.

9. Successors and Assigns. This agreement shall be binding upon and inure to the benefit of the respective successors and assigns of the parties; provided, however, that nothing herein shall be deemed to permit the assignment of this Agreement by either party without the express written consent of the other party.

10. Entire Agreement. This contract constitutes the entire agreement between the parties and no further agreement, express or implied, written or

oral, exists with respect to the subject matter of this document.

11. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of New York.

12. Dispute Resolution. The parties to this Agreement will submit any controversy or claim arising out of or relating to this Agreement which cannot be resolved by mutual agreement to binding arbitration under the rules of the American Arbitration Association. Such arbitration shall be conducted by an arbitrator experienced in arbitrating disputes of similar size and complexity as shall be jointly selected by the parties, or failing such joint selection within seven (7) days of the assertion of the controversy or claim, as shall be appointed by the President of the American Arbitration Association in the City of Albany, New York. Arbitration shall commence upon appointment of the arbitrator. All costs of arbitration shall be shared equally by the parties. The parties shall be responsible for the costs of their respective attorneys and the expenses of witnesses that they may call. Notwithstanding any other provision of law, any arbitration process held pursuant to this Agreement shall be deemed confidential and no statements made therein shall be used in any other proceeding. The decision of the arbitrator shall be delivered in writing to the parties within seven (7) calendar days of the closing of the arbitration proceedings. The decision of the arbitrator shall be binding upon the parties.

In Witness Whereof, RMI. has caused this instrument to be signed in its corporate name by Robert Ginsburg. President, hereunto duly authorized, and Town of Riverhead Community Development Agency has caused this instrument to be signed in its corporate name by _____, its _____, hereunto duly authorized, as of the day and the year first above written.

Rosewood Management, Inc.

By: _____

RIVERHEAD COMMUNITY DEVELOPMENT
AGENCY

By: _____

Name: Robert F. Kozakiewicz

Title: Chairman

STATE (aka Middle County)
(reputedly 80% of the)

LAURENCE
6/25-7/12 17/16

Overhead
facilities

Proposed Park
+ 100 +/-

Proposed Town of
Riverhead Park area
61 +/- Acres

Proposed
Island

Proposed
2100' x
10' de

Central Pines Barrons
Core Preservation Area Boundary
as related from DEC sketch

7/17/01

Adopted

TOWN OF RIVERHEAD

Resolution # 763**APPROVES THE APPLICATION OF LARRY'S LIGHTHOUSE MARINA**

COUNCILMAN CARDINALE

_____ offered the following resolution, was seconded by

COUNCILMAN LULL

WHEREAS, Larry's Lighthouse Marina has submitted an application for the purpose of conducting a boat show to be held at Vinland Commons Corner (corner of Tuthill Lane and Main Road), Aquebogue, New York, on July 20, 2001 through July 22, 2001, between the hours of 10:00 a.m. and 8:00 p.m. on Friday; 10:00 a.m. and 6:00 p.m. on Saturday and 10:00 a.m. and 4:00 p.m. on Sunday; and

WHEREAS, a certificate of insurance has been received naming the Town of Riverhead as an additional insured; and

WHEREAS, the Town Attorney of the Town of Riverhead has reviewed all documents including the certificate of insurance, regarding said application.

NOW THEREFORE BE IT RESOLVED, that the application of Larry's Lighthouse Marina for the purpose of conducting a boat show to be held at the aforementioned location, dates and times is hereby approved; and be it further

RESOLVED, that a fire safety inspection by the Town Fire Marshall is required prior to the opening of this event to the public. Larry's Lighthouse Marina shall contact the Riverhead Fire Marshal at (631) 727-3200 extension 209, for the purpose of arranging the "pre-opening" inspection appointment at least three days in advance; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Larry's Lighthouse Marina, Meeting House Creek Road, P.O. Box 1250, Aquebogue, New York, 11931; the Riverhead Fire Marshal and the Riverhead Police Department.

THE VOTE

Densleski ☒ Yes ☐ No Cardinale ☒ Yes ☐ No
 Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No
 Kozakiewicz ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

Adopted

7/17/01

TOWN OF RIVERHEAD

Resolution # 764APPROVES APPLICATION OF COOPERAGE INN

COUNCILMAN LULL

offered the following resolution, was seconded by

COUNCILMAN DENSIE-SKI

WHEREAS, Cooperage Inn has submitted an application for the purpose of conducting weekend events to include face painting, a one-piece band, pony rides, food & drinks at the Cooperage Inn located at 2218 Sound Avenue, Riverhead, New York, for seven consecutive weekends from September 8, 2001 through October 21, 2001, between the hours of 12:00 noon and 6:00 p.m.; and

WHEREAS, the Town Attorney of the Town of Riverhead has reviewed all documents regarding said application.

WHEREAS, a certificate of insurance has been received naming the Town of Riverhead as an additional insured.

NOW THEREFORE BE IT RESOLVED, that the application of Cooperage Inn for the purpose of conducting weekend events to include face painting, one-piece band, pony rides, food & drinks at the Cooperage Inn located at 2218 Sound Avenue, Riverhead, New York, for seven consecutive weekends from September 8, 2001 through October 21, 2001, between the hours of 12:00 noon and 6:00 p.m., is hereby approved; and be it further

RESOLVED, that a fire safety inspection by the Town Fire Marshall is required prior to the opening of this event to the public. Cooperage Inn shall contact the Riverhead Fire Marshal at (631) 727-3200 extension 209, for the purpose of arranging the "pre-opening" inspection appointment at least three days in advance; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Cooperage Inn, 2218 Sound Avenue, Riverhead, New York, 11901; the Riverhead Fire Marshal and the Riverhead Police Department.

THE VOTE

Densieski ☒ Yes ☐ No Cardinale ☒ Yes ☐ No
 Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No
 Kozakiewicz ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐
 THEREUPON DULY ADOPTED

Adopted

7/17/01

TOWN OF RIVERHEAD

Resolution # 765APPROVES APPLICATION OF LIVING WATER FULL GOSPEL CHURCH

COUNCILMAN KENT

offered the following resolution, was seconded by

COUNCILMAN LULL

WHEREAS, Living Water Full Gospel Church has submitted an application for the purpose of conducting religious services under a tent located on the church property at 27 Shade Tree Lane, Riverhead, New York, to be held on July 21st, 27th and 28th, 2001 between the hours of 7:30 p.m. and 10:00 p.m.; and

WHEREAS, the applicant has requested the application fee be waived; and

WHEREAS, the Town Attorney of the Town of Riverhead has reviewed all documents regarding said application.

NOW THEREFORE BE IT RESOLVED, that the application of Living Water Full Gospel Church for the purpose of conducting religious services under a tent located on the church property at 27 Shade Tree Lane, Riverhead, New York, to be held on July 21st, 27th and 28th, 2001 between the hours of 7:30 p.m. and 10:00 p.m., is hereby approved; and be it further

RESOLVED, that the Town Board of the Town of Riverhead hereby waives the application fee; and be it further

RESOLVED, that a fire safety inspection by the Town Fire Marshall is required prior to the opening of this event to the public. Living Water Full Gospel Church shall contact the Riverhead Fire Marshal at (631) 727-3200 extension 209, for the purpose of arranging the "pre-opening" inspection appointment at least three days in advance; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Living Water Full Gospel Church, 27 Shade Tree Lane, Riverhead, New York, 11901; the Riverhead Fire Marshal and the Riverhead Police Department.

THE VOTE

Densleski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

7/17/01

STATUS _____

1443
Adopted

TOWN OF RIVERHEAD

Resolution # 766

**AUTHORIZATION TO REJECT AND RE-BID FOR 69KV POLE
REPLACEMENT & RELATED WORK**

COUNCILMAN CARDINALE

_____ offered the following resolution,

COUNCILMAN KENT _____ which was seconded by

WHEREAS, the Town Board authorized the Town Clerk to advertise for sealed bids for the purchase of **69KV POLE REPLACEMENT & RELATED WORK** for use by the Town of Riverhead; and

WHEREAS, the bids were opened and read on June 15, 2001, and it was determined that there was an incomplete description within the bid;

NOW, THEREFORE, BE IT:

RESOLVED, that the Town Clerk is hereby authorized to republish and post the following public notice in the July 26th, 2001 issue of the News Review.

RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a copy of this resolution to the Purchasing Department., Community Development Agency and Grubb & Ellis Corporation at the Calverton Site.

THE VOTE

Cardinale ☒ Yes ☐ No

Densieski ☒ Yes ☐ No

Kent ☒ Yes ☐ No

Lull ☒ Yes ☐ No

Kozakiewicz ☒ Yes ☐ No

The Resolution Was ☒ Was Not ☐
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of 69 KV POLE REPLACEMENT for the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:00 a.m. on AUGUST 2ND, 2001.

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the Specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation BIDS FOR 69KV POLE REPLACEMENT..

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

7/17/01

TOWN OF RIVERHEAD

Resolution # 767

ADOPTS LOCAL LAW AMENDING CHAPTER 101 ENTITLED "VEHICLES AND TRAFFIC" OF THE RIVERHEAD TOWN CODE

COUNCILMAN LULL

offered the following resolution, was seconded by

COUNCILMAN KENT

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to amend Chapter 101 entitled, "Vehicles and Traffic" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 3rd day of July, 2001 at 2:20 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law to amend Chapter 101 entitled, "Vehicles and Traffic", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the **News Review** and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Building Department; Riverhead Justice Court; the Police Department; the Code Revision Committee and the Highway Department.

THE VOTE
Densieski ☒ Yes ☐ No Cardinale ☒ Yes ☐ No
Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No
Kozakiewicz ☒ Yes ☐ No
THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law to amend Chapter 101 entitled, "Vehicles and Traffic" of the Riverhead Town Code at its regular meeting held on July 17, 2001 as follows:

A copy of the entire text of the proposed local law may be reviewed at the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.

Dated: Riverhead, New York
July 17, 2001

~~§ 101-25. Penalties for offenses.~~

~~—Every person convicted of a traffic infraction for a violation of any provision of this article which is not a violation of any provision of the Vehicle and Traffic Law of the State of New York shall, for a first conviction thereof, be punished by a fine of not less than \$1 and not more than \$50 or by imprisonment for not more than 15 days, or by both such fine and imprisonment; for a second conviction within 18 months thereafter, such person shall be punished by a fine of not more than \$100 or by imprisonment for not more than 20 days, or by both such fine and imprisonment; upon a third or subsequent conviction within 18 months after the first conviction, such person shall be punished by a fine of not more than \$250 or by imprisonment for not more than 30 days, or by both such fine and imprisonment.~~

~~101-26. Penalties for offenses.~~ 101-25. Enforcement; duties.

~~§ 101-27. Penalties for offenses.~~

~~A. —Every person convicted of a traffic infraction for a violation of any provision of this chapter which is not a violation of any provision of the Vehicle and Traffic Law of the State of New York shall, for a first conviction thereof, be punished by a fine of not less than \$1 and not more than \$50 or by imprisonment for not more than 15 days, or by both such fine and imprisonment, and shall be deemed a violation; for a second conviction within 18 months thereafter, such person shall be punished by a fine of not less than \$1 and not more than \$100 or by imprisonment for not more than 20 days, or by both such fine and imprisonment; upon a third or subsequent conviction within 18 months after the first conviction, such person shall be punished by a fine of not more than \$250 or by imprisonment for not more than 30 days, or by both such fine and imprisonment.~~

~~B. —The registered owner of any vehicle found to be in violation of the provisions of Article III of this chapter respecting parking is liable, together with the actual operator, for any fine or penalty prescribed herein.~~

~~101-26. Penalties for offenses.~~

A. Every person convicted of a traffic infraction for a violation of any provision of this Chapter which is not a violation of any provision of the Vehicle and Traffic Law of the State of New York shall, for a first conviction thereof, be punished by a fine of not more than \$35 or by imprisonment for not more than 15 days, or by both such fine and imprisonment, and shall be deemed a violation; for a second conviction within 18 months thereafter, such person shall be punished by a fine of not more than \$70 or by imprisonment for not more than 20 days, or by both such fine and imprisonment; upon a third or subsequent conviction within 18 months after the first conviction, such person shall be punished by a fine of not more than \$250 or by imprisonment for not more than 30 days, or by both such fine and imprisonment.

B. Except for parking tickets issued under Vehicle and Traffic Law Section 1203-a and or Article VIII of the Code of the Town of Riverhead, persons cited on a Town parking summons for a violation of this Chapter, permit parking or parking

related violations shall be subject to a fine of \$25.00 and shall answer and or 448
appear on or before the designated return date. Persons failing to appear on or
before the designated return date shall be subject to the following surcharges in
addition to the prescribed fines:

- (1) For failing to answer and or appear within thirty days of return date: \$20.00
- (2) For failing to answer and or appear within sixty days: an additional \$20.00 in addition to the surcharge imposed in Subsection B(1) above.
- (3) For failing to answer and or appear within ninety days of the return date: an additional \$20.00 in addition to the surcharges imposed in Subsections B(1) and B(2) above.

~~§101-28. Purposes.~~ 101-27. Purposes.

~~§101-29. Special definitions.~~ §101-28. Special definitions.

~~§101-30. Issuing agent; delivery and addressing of applications.~~ §101-29. Issuing agent; delivery and addressing of applications.

~~§101-31. Conditions for eligibility.~~ §101-30. Conditions for eligibility.

~~§101-32. Application for permit.~~ §101-32. Application for permit.

~~§101-33. Procedure.~~ §101-32. Procedure.

~~§101-34. Expiration and renewal of permits.~~ §101-33. Expiration and renewal of permits.

~~§101-35. Priveleges aecompanying permit.~~ §101-34. Privileges accompanying permit.

~~§ 101-36. Penalties for offenses.~~

A. ~~Any person who stops, stands or parks in spaces clearly marked for use by the handicapped in accordance with this section, without a special vehicle identification parking permit or a special municipal parking permit or whose motor vehicle is not registered in accordance with § 404 a of the New York State Vehiele and Traffic Law and being used for the transportation of a handicapped person or with such permit or registration and such person is not the one to whom the permit or registration was issued or is not transporting the person issued the permit or registration shall be subject to a fine of \$75 for the first offense and \$150 for the second offense occurring within a period of two years within the same municipality. The arresting or ticketing officer shall issue a summons to violators of this section. A ticketing officer issuing a summons pursuant to this section may provide for the removal and storage of a motor vehicle illegally parked in a handicapped parking space.~~

B. ~~In addition to any other penalties provided for by any law, the Town Clerk may disapprove any application for a handicapped parking permit or suspend or revoke a handicapped parking permit should any applicant or permit holder not comply with any section of Article VIII, including the conditions stipulated in § 101-31 hereunder.~~

§ 101-35. Penalties for offenses.

A. Any person who stops, stands or parks in spaces clearly marked for use by the handicapped in accordance with this section, without a special vehicle identification parking permit or a special municipal parking permit or whose motor vehicle is not registered in accordance with § 404-a of the New York State Vehicle and Traffic Law and being used for the transportation of a handicapped person or with such permit or registration and such person is not the one to whom the permit or registration was issued or is not transporting the person issued the permit or registration shall be subject to a fine of \$75 for the first offense plus a mandatory New York State Handicapped Parking Surcharge. A fine of \$150 for the second offense occurring within a period of two years within the same municipality plus a mandatory New York State Handicapped Parking Surcharge. The arresting or ticketing officer shall issue a summons to violators of this section. A ticketing officer issuing a summons pursuant to this section may provide for the removal and storage of a motor vehicle illegally parked in a handicapped parking space. Persons failing to appear on or before the designated return date shall be subject to the following surcharges in addition to the prescribed fines and mandatory New York State Handicapped Parking Surcharge:

- (1) For failing to answer and or appear within thirty days of return date: \$20.00
- (2) For failing to answer and or appear within sixty days: an additional \$20.00 in addition to the surcharge imposed in Subsection A(1) above.
- (3) For failing to answer and or appear within ninety days of the return date: an additional \$20.00 in addition to the surcharges imposed in Subsections A(1) and A(2) above.

B. In addition to any other penalties provided for by any law, the Town Clerk may disapprove any application for a handicapped parking permit or suspend or revoke a handicapped parking permit should any applicant or permit holder not comply with any section of Article VIII, including the conditions stipulated in § 101-31 hereunder.

~~101-37. Dumping snow onto parking places for handicapped prohibited. 101-36. Dumping snow onto parking places for handicapped prohibited.~~

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD**

BARBARA GRATTAN, Town Clerk

* Underline represents addition(s)

* Underscore represents deletion(s)

7/17/01

Adopted**TOWN OF RIVERHEAD**Resolution # 768**ADOPTS A LOCAL LAW AMENDING CHAPTER 48 ENTITLED. "BEACHES AND RECREATION CENTERS" OF THE RIVERHEAD TOWN CODE****COUNCILMAN KENT****COUNCILMAN CARDINALE**

offered the following resolution, was seconded by

WHEREAS, the Town Clerk was authorized to publish and post the attached public notice to consider a local law amending Chapter 48 entitled "Beaches and Recreation Centers" of the Riverhead Town Code once in the News Review, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and

WHEREAS, a public hearing was held on the 3rd day of July, 2001 at 2:25 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 48 entitled, "Beaches and Recreation Centers" of the Riverhead Town Code is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the News Review and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the the Code Revision Committee; the Bay Constable; Police Chief Joseph Grattan and the Recreation Department.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD NOTICE OF ADOPTION

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 48 entitled "Beaches and Recreation Centers" of the Riverhead Town Code at its regular meeting held on July 17, 2001 as follows:

~~§ 48-22. Penalties for offenses.~~

~~Any violation of any section or provision of this Article, upon conviction of such violation, shall be punishable by a fine of not less than \$25 nor more than \$50.~~

§ 48-22. Penalties for offenses.

A. Persons cited on a Town parking summons for a violation of this Chapter, permit parking or parking related violations shall be subject to a fine of \$25.00 and shall answer and or appear on or before the designated return date. Persons failing to appear on or before the designated return date shall be subject to the following surcharges in addition to the prescribed fines:

- (1) For failing to answer and or appear within thirty days of return date: \$20.00
- (2) For failing to answer and or appear within sixty days: an additional \$20.00 in addition to the surcharge imposed in Subsection A(1) above.
- (3) For failing to answer and or appear within ninety days of the return date: an additional \$20.00 in addition to the surcharges imposed in Subsections A(1) and A(2) above.

B. All other non parking related violations of this Chapter which are not covered in § 48-22 A. upon conviction of such violation, shall be punishable by a fine of not less than \$25 nor more than \$50.

Dated: Riverhead, New York
July 17, 2001

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD**

BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)
- Overstrike represents deletion(s)

Adopted

JULY 17, 2001

TOWN OF RIVERHEAD

Resolution # 769TWOMEY AVE. EXT.#67CAPITAL PROJECTBUDGET ADOPTION

COUNCILMAN CARDINALE

_____ offered the following resolution ,
 which was seconded by _____ COUNCILMAN KENT

BE IT RESOLVED, that the Supervisor be and is hereby authorized to
 establish the following budget:

406.092705.421050.30019 DEVELOPER FEES

FROM:
 \$2,000.

406.083200.543501.30019 ENGINEERING EXPENSE

TO:
 \$2,000.

THE VOTECardinale ☒ Yes ☐ NoDensieski ☒ Yes ☐ NoKent ☒ Yes ☐ NoLull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ No

JULY 17, 2001

Adopted**TOWN OF RIVERHEAD****GENERAL FUND****BUDGET ADJUSTMENT****RESOLUTION # 770**

Councilman Densieski offered the following resolution ,

which was seconded by Councilman Kent

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

001.031200.524101	POLICE, VEHICLES	FROM:	
001.031200.524415	POLICE, BINOCULAR EXPENSE		\$5,625.
			100.

001.031200.542314	POLICE, PHOTOGRAPHIC SUPPLIES	TO:	\$ 770.
001.031200.545210	POLICE, OFFICE COPIER LEASE		1,055.
001.031200.542600	POLICE, PRINTING EXPENSE		1,000.
001.031200.524900	POLICE, MISC. FIELD EQUIPMENT		100.
001.031200.542318	POLICE, K-9 EXPENSES		2,800.

001.000000.390599	APPROPRIATED FUND BALANCE	FROM:	
			\$8,000.

001.050100.524226	TRANS. ADMIN. - TELEPHONE EQUIP.		\$8,000.
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001.073100.543601	YOUTH PROGRAMS, LITTLE LEAGUE EXP.	FROM:	\$350.
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001.070200.541000	REC. ADMIN., REPAIR & MAINTENANCE	TO:	\$350.
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THE VOTECardinale ☒ Yes ☐ NoDensieski ☒ Yes ☐ NoKent ☒ Yes ☐ NoLull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ No

JULY 17, 2001

1454

TOWN OF RIVERHEAD

Adopted

Resolution # 771

JOINT SCAVENGER WASTE DISTRICT

BUDGET ADJUSTMENT

~~COUNCILMAN~~ DENSIESKI

_____ offered the following resolution ,
which was seconded by _____
COUNCILMAN KENT

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

918.081890.546203 PLANT ELECTRICITY EXPENSE

FROM:
\$4,000.

918.081890.524900 MISCELLANEOUS EQUIPMENT

TO:
\$4,000.

THE VOTE

Cardinale ☒ Yes ☐ No

Densieski ☒ Yes ☐ No

Kent ☒ Yes ☐ No

Luli ☒ Yes ☐ No

Kozakiewicz ☒ Yes ☐ No

JULY 17, 2001

1455

Adopted

TOWN OF RIVERHEAD

Resolution # 772

PARK AND RECREATION FUND

BUDGET ADJUSTMENT

COUNCILMAN LULL

_____ offered the following resolution ,
which was seconded by _____ COUNCILMAN KENT

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

736.092705.421050.70048 PARK & REC. FEES FROM:
\$238,000.

736.099500.597000.70048	TRANSFER TO STOTZKY PARK SKATEBOARD COMPLEX	TO: \$210,000.
736.099500.597000.70049	TRANSFER TO 2001 RECREATION CAPITAL IMPROVEMENT PROJECT	28,000.

THE VOTE

Cardinale ☒ Yes ☒ No

Densieski ☒ Yes ☐ No

Kent ☒ Yes ☐ No

Lull ☒ Yes ☐ No

Kozakiewicz ☒ Yes ☐ No

JULY 17, 2001

1456

Adopted

TOWN OF RIVERHEAD

REVOLVING LOAN PROGRAM
BUDGET ADJUSTMENT

RESOLUTION # 773

COUNCILMAN LULL

_____ offered the following resolution ,

which was seconded by COUNCILMAN DENSIESKI

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

FROM:

178.000000.390599 APPROPRIATED FUND BALANCE \$10,000.

178.086860.540000 ADMINISTRATION

TO:
\$10,000.

THE VOTE

Cardinale ☒ Yes ☐ No

Densieski ☒ Yes ☐ No

Kent ☒ Yes ☐ No

Lull ☒ Yes ☐ No

Kozakiewicz ☒ Yes ☐ No

JULY 17, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 774RAY ZALESKI FARMLAND PRESERVATIONCAPITAL PROJECTBUDGET ADOPTION

COUNCILMAN LULL

_____ offered the following resolution ,
 which was seconded by COUNCILMAN DENSIESKI

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget:

406.019400.489150.42013 TRANSFER FROM COMMUNITY
 PRESERVATION FUND

FROM:

\$125,000.

406.019400.521000.42013 DEVELOPMENT RIGHTS
 ACQUISITION FUND
 406.019400.543000.42013 PROFESSIONAL SERVICES

TO:

\$115,000.
 10,000.

THE VOTECardinale ☒ Yes ☐ NoDensieski ☒ Yes ☐ NoKent ☒ Yes ☐ NoLull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ No

JULY 17, 2001

1458

Adopted

TOWN OF RIVERHEAD

COMMUNITY DEVELOPMENT BLOCK GRANT
BUDGET ADJUSTMENT

RESOLUTION # 775

COUNCILMAN CARDINALE

_____ offered the following resolution ,

which was seconded by _____ COUNCILMAN KENT

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

181.086620.523013.06995 POLISH TOWN STREET LIGHTING FROM:
\$5,000.

181.086620.523001.06995 SIDEWALK EXPENSE TO:
\$5,000.

THE VOTE

Cardinale ☒ Yes ☐ No Densieski ☒ Yes ☐ No
Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No
Kozakiewicz ☒ Yes ☐ No

7/17/01

Adopted

TOWN OF RIVERHEAD

Resolution # 776**APPOINTS A FILL-IN LIFEGUARD
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILMAN LULL

_____ offered the following resolution,

which was seconded by COUNCILMAN KENT

RESOLVED, that Michael May is hereby appointed to serve as a Fill-in Lifeguard, effective, July 17, 2001 to and including, September 4, 2001 to be paid at the rate of \$7.75 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

1. All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start date.
2. Subject to Suffolk County Lifeguard Certification.
3. Current CPR Certification.

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

THE VOTE

Densleki	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

07/17/01

Adopted

TOWN OF RIVERHEAD

Resolution # 777**RATIFIES APPOINTMENT OF FILL-IN LIFEGUARD
TO THE RIVERHEAD RECREATION DEPARTMENT**Councilman Lull offered the following resolution,which was seconded by Councilman Kent

RESOLVED, that Melissa Hays is hereby appointed to serve as a Fill-In Lifeguard , effective, July 11, 2001 to and including, September 4, 2001 to be paid at the rate of \$7.75 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

1. All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start date.
2. Current American Red Cross Certification.

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

THE VOTE

Densleski ☒ Yes ☐ No Cardinale ☒ Yes ☐ No
 Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No
 Kozakiewicz ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐
 THEREUPON DULY ADOPTED

7/17/01

1461

Adopted

TOWN OF RIVERHEAD

Resolution # 778

APPOINTS A BEACH ATTENDANT
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KENT

_____ offered the following resolution,
which was seconded by COUNCILMAN DENSIESKI

RESOLVED, that Julia Collins is hereby appointed to serve as a Beach Attendant effective, July 17, 2001 to and including, September 4, 2001 to be paid at the rate of \$6.50 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

1. All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start date.

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

THE VOTE
Densieski ☒ Yes ___ No ___ Cardinal ☒ Yes ___ No ___
Kent ☒ Yes ___ No ___ Lull ☒ Yes ___ No ___
Kozakiewicz ☒ Yes ___ No ___
THE RESOLUTION WAS ☒ WAS NOT ___
THEREUPON DULY ADOPTED

Adopted

July 17, 2001

TOWN OF RIVERHEAD

Resolution # 779PROMOTION TO AUTO MECHANIC IV

Councilman Kent offered the following
resolution, which was seconded by Councilman Lull

WHEREAS, the Municipal Garage has recommended that the position of Auto Mechanic IV be created according to job posting #13, and

WHEREAS, it is the recommendation of the Personnel Committee that Richard Warner currently an Auto Mechanic III be promoted to this position.

NOW, THEREFORE, BE IT RESOLVED, that Richard Warner is hereby promoted to the position of Auto Mechanic IV effective 07/23/01, Group 12 Step 12 of the Operational & Technical Salary Schedule.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Richard Warner, the Municipal Garage and the Office of Accounting.

THE VOTE

Cardinale ☒ Yes ☐ NoDensieski ☒ Yes ☐ NoKent ☒ Yes ☐ NoLull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ No

Adopted

July 17, 2001

TOWN OF RIVERHEAD

Resolution # 780PROMOTION TO AUTO MECHANIC III

Councilman Lull offered the following
resolution, which was seconded by Councilman Kent

WHEREAS, the Municipal Garage has recommended that the position of Auto Mechanic III be created according to job posting #12, and

WHEREAS, it is the recommendation of the Personnel Committee that Timothy Zaveski currently an Auto Mechanic II be promoted to this position.

NOW, THEREFORE, BE IT RESOLVED, that Timothy Zaveski is hereby promoted to the position of Auto Mechanic III effective 07/23/01, Group 9 Step 6 of the Operational & Technical Salary Schedule.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Timothy Zaveski the Municipal Garage and the Office of Accounting.

THE VOTE

Cardinale ☒ Yes ☐ NoDensieski ☒ Yes ☐ NoKent ☒ Yes ☐ NoLull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ No

07/17/01

Adopted

TOWN OF RIVERHEAD

Resolution # 781**ACCEPTS RESIGNATION OF TRINA MILES AS THE TOWN BOARD
COORDINATOR**

COUNCILMAN DENSIESKI

_____ offered the following
COUNCILMAN LULL
resolution, which was seconded by _____

WHEREAS, Trina Miles has notified the Town Board, in writing of her resignation effective July 27, 2001.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby accepts the resignation of Trina Miles.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Trina Miles, the Supervisor's Office and the Office of Accounting.

THE VOTE

Cardinale ☒ Yes ☐ NoDensieski ☒ Yes ☐ NoKent ☒ Yes ☐ NoLull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ No

July 17, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 782

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST A HELP WANTED AD
FOR PART TIME HOMEMAKER FOR THE SENIOR CITIZEN DEPARTMENT

COUNCILMAN KENT

offered the following resolution,

which was seconded by COUNCILMAN LULL

BE IT, RESOLVED, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Ad in the July 19th, 2001 issue of the News Review.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to the Senior Citizens' Department and the Office of Accounting.

THE VOTE

Cardinale

☒ Yes ☐ NoDensieski ☒ Yes ☐ NoKent ☒ Yes ☐ NoLull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ No

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking qualified individuals to serve in the positions of Part Time Homemaker and Senior Citizen Aide in the Senior Citizens' Department. the Town requests that all applicants must have a valid drivers' license. Applications are to be submitted to the Accounting Department, 200 Howell Avenue, Riverhad, NY, between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday. No application will be accepted after 4:00 p.m. on Thursday, July 36th, 2001. The Town of Riverhead does not discriminate on the basis of age, reae, color, national origin, sex or handicapped status in the employment or provision of services.

BY ORDER OF:
THE RIVERHEAD TOWN BOARD
BARBARA GRATTAN, TOWN CLERK

July 17, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 783**AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST
A HELP WANTED AD FOR A TOWN BOARD COORDINATOR**

COUNCILMAN LULL

_____ offered the following resolution, which was
seconded by COUNCILMAN DENSIESKI.

BE IT RESOLVED, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Ad in the July 19, 2001 issue of the News Review

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of the resolution to the Accounting Department.

THE VOTE

Densieski ☒ Yes ☐ No Cardinale ☐ Yes ☒ No
 Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No
 Kozakiewicz ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐
 THEREUPON DULY ADOPTED

HELP WANTED

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead is seeking a qualified individual to serve in the position of the Town Board Coordinator. Applications are to be submitted to the Supervisor's Office, Riverhead Town Hall, 200 Howell Avenue, Riverhead, NY 11901. No Applications will be accepted after 4:00 pm on Friday, July 27, 2001. EOE

BY ORDER OF:
THE RIVERHEAD TOWN BOARD
BARBARA GRATTAN, TOWN CLERK

Adopted

July 17, 2001

Town of Riverhead

Resolution # 784

AUTHORIZES ATTENDANCE OF ONE DETECTIVE AT
MAGLOCLEN TRAINING CONFERENCE, TROY, NEW YORK

COUNCILMAN CARDINALE

_____ offered the following resolution, was

COUNCILMAN DENSIESKI

seconded by _____

WHEREAS, Police Chief Grattan has requested authorization from the Riverhead Town Board for the attendance of one Detective at a MAGLOCLEN Training Conference;

AND WHEREAS, the Training Conference will be held in Troy, New York, on August 1st through August 3rd, 2001.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the attendance of one Detective at the aforementioned training conference; and

BE IT FURTHER RESOLVED that the Town Board authorizes reimbursement of expenses upon submission of proper receipts; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Chief Grattan and the Office of Accounting.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

Adopted

July 17, 2001

Town of Riverhead

Resolution # 785

AUTHORIZES ATTENDANCE OF ONE DETECTIVE AT
MAGLOCLEN TRAINING CONFERENCE, NEWTOWN, PENNSYLVANIA

COUNCILMAN KENT offered the following resolution, was
seconded by COUNCILMAN LULL

WHEREAS, Police Chief Grattan has requested authorization from the Riverhead Town Board for the attendance of one Detective at a MAGLOCLEN Training Conference;

AND WHEREAS, the Training Conference will be held in Newtown, Pennsylvania, on November 5th through November 9th, 2001.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the attendance of one Detective at the aforementioned training conference; and

BE IT FURTHER RESOLVED that the Town Board authorizes reimbursement of expenses upon submission of proper receipts; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Chief Grattan and the Office of Accounting.

THE VOTE

Densleski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

July 17, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 786**AUTHORIZES ATTENDANCE AT A NATIONAL ANIMAL CONTROL
ASSOCIATION TRAINING COURSE****WORKSHOP IN ROCHESTER, NY**

Councilman Lull offered the following resolution ,
which was seconded by Councilman Densieski

WHEREAS, the National Animal Control Association is conducting a Training Course in Rochester, New York, September 10-14, 2001., and

WHEREAS, Lou Coronessi, Animal Control Officer has requested to attend this Workshop; and

NOW, THEREFORE, BE IT, RESOLVED, that the Town Board hereby authorizes the attendance of the aforementioned personnel at the Workshop in Rochester, New York , with reimbursement of expenses upon submission of proper receipts; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Department of Animal Control and the Office of Accounting.

THE VOTECardinale ☒ Yes ☐ NoDensieski ☒ Yes ☐ NoKent ☒ Yes ☐ NoLull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ No

The Resolution Was ☒ Was Not ☐
Thereupon Duly Declared Adopted

July 17th, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 787APPROVES TEMPORARY SIGN PERMIT OF THE HORIZON

COUNCILMAN KENT

_____ offered the following resolution, which was

COUNCILMAN DENSIESKI

seconded by _____.

WHEREAS, a temporary sign permit application and sketch were submitted by David Maron, for property located at Route 25A, Wading River, New York 11792, and

WHEREAS, pursuant to Section 108-56 C(5) of the Town Code of the Town of Riverhead, the application does not require the recommendation of the Architectural Review Board, and

WHEREAS, the sketch has been approved by three (3) Town Board members, now

THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby approves the temporary sign permit application submitted by David Maron, dated July 5th, 2001, and

BE IT FURTHER

RESOLVED, that said temporary sign shall be erected for a period not to exceed six (6) month from the date hereof or the issuance of the permit for the permanent sign, whichever first occurs, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to David Maron, W.R. Woods Association, LLC, 18 Woods Corner Road, 2nd Floor, Setauket, New York 11733 and the Building Department and Planning Department.

THE VOTE

Densieski ☒ Yes ☐ No Cardinale ☒ Yes ☐ No

Kent ☒ Yes ☐ No Luff ☒ Yes ☐ No

Kozakiewicz ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

Adopted

7/17/01

TOWN OF RIVERHEAD

Resolution #788

**ACCEPTS OFFER OF SALE OF DEVELOPMENT RIGHTS
(RAYMOND AND CECILIA ZALESKI)****COUNCILMAN DENSIESKI**

offered the following resolution, which was seconded

by **COUNCILMAN LULL** :

WHEREAS, the County of Suffolk ("the County") has received an offer for sale of development rights from Raymond and Cecilia Zaleski respecting 57 acres located on Main Road, Jamesport, New York, such real property more particularly described as Suffolk County Tax Map number 0600-48-1-1.1; and

WHEREAS, the Riverhead Farmland Preservation Committee ("the Committee") has reviewed the aforementioned offer for sale of development rights from Raymond and Cecilia Zaleski to the County; and;

WHEREAS, the County of Suffolk and the Town of Riverhead are desirous sharing the cost of purchasing said development rights, and

WHEREAS, the aforementioned offer for sale sought a sale price of \$16,000.00 dollars per acre of development rights, and

WHEREAS, County of Suffolk has agreed to contribute \$14,000.00 toward the per acre price and the Town of Riverhead has agreed to contribute \$2,000.00 per acre toward the per acre price, and

WHEREAS, the Committee has commissioned an appraisal of the value of development rights inherent in the subject real property; and

WHEREAS, the Committee has assessed the subject real property with respect to the criteria provided in the Agricultural Preservation Law and has formally recommended that the Town Board of the Town of Riverhead consider contributing to the County's purchase of development rights from the property; and

WHEREAS, the Town-Board has carefully considered the merits of the offer sale of development rights, the report of the Peconic Land Trust, the appraisal of development rights by Given Associates, the report of the Farmland Preservation Committee, the criteria set forth in the agricultural preservation law and all other pertinent planning, zoning and environmental information.

NOW THEREFORE BE IT RESOLVED, that the Riverhead Town Board hereby agrees to contribute to County's purchase of development rights from the subject real property of Raymond and Cecilia Zaleski, pursuant to Chapter 44, Section 44-5 B(2) of the Code of the Town of Riverhead; and be it further

RESOLVED that the Town's interest in the development rights purchased as described herein shall be reflected in the deed of developments rights from the sellers; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a contract for purchase of development rights from the subject property whereby the Town of Riverhead would contribute Two Thousand (\$2,000.00) Dollars per acre toward the purchase in an amount not to exceed One Hundred Fourteen Thousand (\$114,000.00) Dollars; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Raymond and Cecilia Zaleski; the Farmland Preservation Committee; Peconic Land Trust, attn: Julie T. Wesnofske, P.O. Box 1776, Southampton, New York 11969; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Department and the Office of the Town Attorney

THE VOTE

Densieski ☒ Yes ☐ No Cardinale ☒ Yes ☐ No
 Kent ☒ Yes ☐ No Kull ☒ Yes ☐ No
 Kozakewicz ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐
 THEREUPON DULY ADOPTED

7/17/01

TOWN OF RIVERHEAD

1475
Adopted

Resolution # 789

SUBSTITUTES PERFORMANCE BOND OF SOUND BREEZE SUBDIVISION
(SECTION 5 & 6) WITH MAINTENANCE BOND

COUNCILMAN KENT

_____ offered the following resolution, was seconded by

COUNCILMAN LULL
_____ :

WHEREAS, by letter dated February 28, 2001, Jeffrey E. Fungfeld did request a reduction of the performance bonds for work completed in the subdivision entitled, "Sound Breeze - Sections 5 and 6"; and

WHEREAS, Vincent Gaudiello, P.E. on behalf of John J. Raynor, P.E. and L.S., consulting engineer to the Planning Board, by memo dated March 26, 2001, has recommended that the performance bond currently in place be substituted with a one-year maintenance bond; and

WHEREAS, pursuant to Planning Board resolution dated April 6, 2001, it is the Planning Board's recommendation that the performance bond posted for the subdivision entitled, "Sound Breeze - Sections 5 & 6", be substituted with a one-year maintenance bond.

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead hereby accepts Maintenance Bond #262558-M in the amount of \$177,833.33 representing Road Improvements, Water and Recreation Fees in Section 5; and Maintenance Bond #262557-M in the amount of \$143,500.00 representing Road Improvements, Water and Recreation Fees in Section 6 of the subdivision entitled, "Sound Breeze; and be it further

RESOLVED, that the Town Clerk is hereby authorized to release Performance Bond No. 262558 in the amount of \$303,500.00 (Sound Breeze - Section 5) and Performance Bond No. 262557 in the amount of 280,500.00 (Sound Breeze - Section 6); and be it further

RESOLVED, that upon the Town of Riverhead's acceptance of the dedication of the roads and drainage basin(s) of Sound Breeze - Sections 5 and 6, new maintenance bonds will be submitted having a one year expiration date from the date of the Town's acceptance of dedication of said roads and drainage basin(s) within said subdivision.

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Peter S. Danowski, Jr., Esq., 616 Roanoke Avenue, P.O. Box 779, Riverhead, New York, 11901; the Planning Department; the Building Department and the Town Attorney's Office.

THE VOTE
Densieski ☒ Yes ☐ No Cardinale ☒ Yes ☐ No
Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No
Kozakiewicz ☒ Yes ☐ No
THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

July 17, 2001

Adopted**TOWN OF RIVERHEAD**Resolution # 790**AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF
PUBLIC HEARING – SPECIAL PERMIT OF JOSEPH SCIOTTO****COUNCILMAN CARDINALE**

offered the following resolution which

COUNCILMAN KENT

was seconded by _____

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a special permit petition from Joseph Sciotto to allow an existing building located at New York State Route 25, Jamesport to be used as a professional office such real property more particularly described as Suffolk County Tax Map No. 0600-68-1-10.1, and

WHEREAS, the Riverhead Town Board by resolution #617 of 2001 did declare themselves to be the Lead Agency in the matter and did refer the petition to the Planning Board for its report and recommendation, and

WHEREAS, the Town Board desires to hold a hearing upon the subject petition pursuant to Section 108-3 of the Town Code, now

THEREFORE BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the attached notice of public hearing in the official newspaper of the Town of Riverhead.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the 4th day of September, 2001 at 7:05 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider the special permit petition of Joseph Sciotto to allow an existing building located at New York State Route 25, Jamesport to be used as a professional office; such real property more particularly described as Suffolk County Tax Map Parcel Number 0600-68-1-10.1.

DATED: July 17, 2001
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

Adopted

7/17/01

TOWN OF RIVERHEAD

ORDER CALLING PUBLIC HEARING
PURCHASE OF VACUUM TANK TRUCK SYSTEM
RIVERHEAD SEWER DISTRICT
202-b

Adopted: 7/17/01

RESOLUTION # 791

COUNCILMAN CARDINALE

_____ offered the following resolution
which was seconded by COUNCILMAN DENSIESKI,

WHEREAS, a recommendation has been made to the Town Board of the Town of Riverhead, Suffolk County, New York, as governing body of the Riverhead Sewer District, that the District purchase a vacuum tank truck system for use by the District, and

WHEREAS, the maximum amount proposed to be expended for said purchase is \$65,500, with said funds used for the purchase to be allocated and charged as the cost of increasing and improving the facilities of the Riverhead Sewer District and shall be borne by the entire District to be paid from existing funds; and

WHEREAS, it is necessary that a public hearing be held on the question of the increase and improvement of the facilities of the entirety of said Sewer District as described above, in accordance with the provisions of Section 202-b of the Town Law;

NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. A public hearing will be held at the Town Hall, 200 Howell Avenue, Riverhead, New York, in said Town, on the 21st day of August, 2001, at 7:40 o'clock p.m., prevailing time, on the question of the increase and improvement of the facilities of the Riverhead Sewer District in the Town of Riverhead, Suffolk County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the notice of public hearing to be published in the August 9, 2001 edition of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy thereof to be posted on the sign

board of the Town, such publication and posting to be made not less than ten, nor more than twenty days before the date designated for the public hearing.

Section 3. The project described in the preambles hereto is hereby determined to be an "unlisted action" under the State Environmental Quality Review Act, the implementation of which, as proposed, will not result in any significant environmental effects.

Section 4. The notice of public hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Riverhead Sewer District pursuant to Section 202-b of the Town Law. The object of such hearing will be the increase and improvement of the Riverhead Sewer District regarding the purchase of a vacuum tank truck system for use by the District. All persons wishing to be heard should be present at Riverhead Town Hall, 200 Howell Avenue, on Tuesday, August 21, 2001, at 7:40 p.m. The estimated cost of the purchase is \$65,500 to be paid from existing district funds.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Riverhead, New York
July 17, 2001

BY ORDER OF THE TOWN BOARD OF
THE TOWN OF RIVERHEAD
SUFFOLK COUNTY, NEW YORK

Section 5: This order shall take effect immediately.

and be it further

RESOLVED, that the Town Clerk shall forward certified copies of this resolution to Superintendent Reichel, the Accounting Department and Frank Isler, Esq.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

Adopted

7/17/01

TOWN OF RIVERHEAD

ORDER CALLING PUBLIC HEARING
INCREASING PRIOR AUTHORIZATION
FOR ALARM SYSTEM
RIVERHEAD SEWER DISTRICT
202-b

RESOLUTION # 792

Adopted: 7/17/01

COUNCILMAN DENSIESKI

which was seconded by ~~COUNCILMAN KENT~~ offered the following resolution

WHEREAS, a prior public hearing was held for the purchase of an alarm system for the Riverhead Sewer District, and

WHEREAS, after receiving bids, it has been determined that the amount determined to be expended is not adequate to install such a system, and

WHEREAS, it is now determined that the amount proposed to be expended for said system is \$57,500, with said funds used for the purchase and installation of said alarm system to be allocated and charged as a cost of increasing and improving the facilities of the Riverhead Sewer District and shall be borne by the entire District to be paid from existing funds, and

WHEREAS, it is necessary that a public hearing be held on the question of the increase and improvement of the facilities of the entirety of said Sewer District as described above, in accordance with the provisions of Section 202-b of the Town Law;

NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. A public hearing will be held at the Town Hall, 200 Howell Avenue, Riverhead, New York, in said Town, on the 21st day of August, 2001, at 7:45 o'clock p.m., prevailing time, on the question of the increase and improvement of the facilities of the Riverhead Sewer District in the Town of Riverhead, Suffolk County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and

directed to cause a copy of the notice of public hearing to be published in the August 9, 2001 edition of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty days before the date designated for the public hearing.

Section 3. The project described in the preambles hereto is hereby determined to be an "unlisted action" under the State Environmental Quality Review Act, the implementation of which, as proposed, will not result in any significant environmental effects.

Section 4. The notice of public hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Riverhead Sewer District pursuant to Section 202-b of the Town Law. The object of such hearing will be the increase and improvement of the Riverhead Sewer District regarding the purchase and installation of an alarm system for the District. All persons wishing to be heard should be present at Riverhead Town Hall, 200 Howell Avenue, on Tuesday, August 21, 2001, at 7:45 p.m. The estimated cost of the alarm system is \$57,500 to be paid from existing district funds.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Riverhead, New York
July 17, 2001

BY ORDER OF THE TOWN BOARD OF
THE TOWN OF RIVERHEAD
SUFFOLK COUNTY, NEW YORK

Section 5: This order shall take effect immediately.
and be it further

RESOLVED, that the Town Clerk shall forward certified copies of this resolution to Superintendent Reichel, the Accounting Department and Frank Isler, Esq.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinals	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lilli	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

Adopted

July 17, 2001

TOWN OF RIVERHEAD

Resolution # 793AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE FOR A
LOCAL LAW TO REPEAL AND REPLACE CHAPTER 107 ENTITLED "WETLANDS,
FLOODPLAINS AND DRAINAGE" OF THE RIVERHEAD TOWN CODE

COUNCILMAN LULL

_____ offered the following resolution, was seconded by

COUNCILMAN CARDINALE
_____:

RESOLVED, the Town Clerk be and is hereby authorized to publish the attached public notice to consider a local law repealing and replacing Chapter 107 entitled "Wetlands, Floodplains and Drainage" of the Riverhead Town Code once in the July 26, 2001 issue of the *News Review*, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to George M. Bartunek, Conservation Advisory Committee; the Riverhead Planning Department; the Riverhead Planning Board; the Zoning Board of Appeals; the Riverhead Building Department; the Code Revision Committee and the Office of the Town Attorney.

THE VOTE

Densieski ☒ Yes ☐ No Cardinale ☒ Yes ☐ No
 Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No
 Kozakiewicz ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐
 THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on the 7th day of August, 2001 at 2:05 o'clock p.m. to consider a local law to repeal and replace Chapter 107 entitled "Wetlands, Floodplains and Drainage" of the Riverhead Town Code.

A copy of the entire text of the proposed local law may be reviewed at the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York, Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

Dated: Riverhead, New York
July 17, 2001

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Chapter 107

WETLANDS, FLOODPLAINS AND DRAINAGE

§ 107-1. Legislative intent.

§ 107-2. Title.

§ 107-3. Definitions.

§ 107-4. Regulated areas.

§ 107-5. Permitted acts.

§ 107-6. Application for permit.

§ 107-7. Procedure for issuance of permit; display of permit; inspections.

§ 107-8. Compliance with conditions.

§ 107-9. Notice of violation; penalties for offenses.

§ 107-10. Emergency and minor maintenance exceptions.

§ 107-11. Continuation of existing or prior conditions.

[HISTORY: Adopted by the Town Board of the Town of Riverhead 8-17-1976 as Local Law No. 5-1976,
repealed and replaced _____, 2001]

§ 107-1. Legislative intent.

A. The Town Board of Riverhead finds that rapid growth, the spread of development and increasing demands upon natural resources are encroaching upon, despoiling, polluting or eliminating many of its watercourses, tidal wetlands, freshwater wetlands, watershed lands, and other natural resources and processes associated therewith which, if preserved and maintained in an undisturbed and natural condition, constitute important

physical, social, aesthetic, recreational and economic assets to existing and future residents of the Town.

B. It is the intent of the Town Board to protect the citizens of the Town of Riverhead by providing for the protection, preservation, proper maintenance and use of its watercourses, tidal wetlands, freshwater wetlands, watershed lands, and other natural resources in order to minimize their disturbance, prevent damage from erosion, turbidity, siltation or saltwater intrusion, prevent the loss of fish, shellfish or other beneficial marine organisms, aquatic wildlife and vegetation and the destruction of the natural habitat thereof, prevent the danger of flood and storm tide damage and pollution and to otherwise protect the quality of watercourses, tidal wetlands, freshwater wetlands, watershed lands, underground water reserves, and beaches for their conservational, economic, aesthetic, recreational values and other public uses, and, further, to protect the Town's potable fresh water supplies from the dangers of drought, overdraft, pollution and misuse or mismanagement. Therefore, the Town Board declares that regulation of the watercourses, tidal wetlands, freshwater wetlands, and watershed lands of Riverhead Town is essential to the health, safety and economic and general welfare of the people of Riverhead Town, and for their interest.

§ 107-2. Title.

This chapter shall be known and may be cited as the "Tidal and Freshwater Wetlands Law of the Town of Riverhead."

§ 107-3. Definitions.

The following terms, phrases, words and their derivatives shall have the meanings given herein:

COMPREHENSIVE PLAN -- That comprehensive Master Plan of the Town for the development of the entire area of the municipality showing existing and proposed facilities, endorsed by the Planning Board and adopted by the Town Board.

FRESHWATER WETLANDS -- Lands and waters as indicated on, but not limited to, the Freshwater Wetlands Map for Suffolk County promulgated by the Department of Environmental Conservation pursuant to the Freshwater Wetlands Act and the Riverhead Freshwater Wetlands Inventory (1979) which contain any or all of the following:

A. Lands and submerged lands commonly called marshes, swamps, sloughs, bogs, and flats supporting aquatic or semiaquatic vegetation of the following types:

1. Wetland trees, which depend upon seasonal or permanent flooding or sufficiently water-logged soils to give them a competitive advantage over other trees; including, among others, red maple (*Acer rubrum*), willows (*Salix* spp.), black spruce (*Picea mariana*), swamp white oak (*Quercus bicolor*), red ash (*Fraxinus pennsylvanica*), black ash (*Fraxinus nigra*), silver maple (*Acer saccharinum*), American elm (*Ulmus americana*) and larch (*Larix laricina*);
2. Wetland shrubs, which depend upon seasonal or permanent flooding or sufficiently water-logged soils to give them a competitive advantage over other shrubs; including, among others, alder (*Alnus* spp.), buttonbush (*Cephalanthus*

- occidentalis), bog rosemary (*Andromeda glaucophylla*), dogwoods (*Cornus* spp.), and leatherleaf (*Chamaedaphne calyculata*);
3. Emergent vegetation; including, among others, cattails (*Typha* spp.), pickerelweed (*Pontederia cordata*), bulrushes (*Scirpus* spp.), arrow arum (*Peltandra virginica*), arrowheads (*Sagittaria* spp.), reed (*Phragmites communis*), wildrice (*Zizania aquatica*), bur-reeds (*Sparganium* spp.), purple loosestrife (*Lythrum salicaria*), swamp loosestrife (*Decodon verticillatus*) and water plantain (*Alisma plantago-aquatica*);
4. Rooted, floating-leaved vegetation; including, among others, water-lily (*Nymphaea odorata*), water shield (*Brasenia schreberi*), and spatterdock (*Nuphar* spp.);
5. Freefloating vegetation; including, among others, duckweed (*Lemna* spp.), big duckweed (*Spirodela polyrhiza*), and watermeal (*Wolffia* spp.);
6. Wet meadow vegetation, which depends upon seasonal or permanent flooding or sufficiently water-logged soils to give them a competitive advantage over other open land vegetation; including, among others, sedges (*Carex* spp.), rushes (*Juncus* spp.), cattails (*Typha* spp.), rice cut-grass (*Leersia oryzoides*), reed canary grass (*Phalaris arundinacea*), swamp loosestrife (*Decodon verticillatus*) and spike rush (*Eleocharis* spp.);
7. Bog mat vegetation; including, among others, sphagnum mosses (*Sphagnum* spp.), bog rosemary (*Andromeda glaucophylla*), leatherleaf (*Chamaedaphne calyculata*), pitcher plant (*Sarracenia purpurea*), and cranberries (*Vaccinium macrocarpon* and *V. oxycoccus*);

Submergent vegetation; including, among others, pondweeds (*Potamogeton* spp.), naiads (*Najas* spp.), bladderworts (*Utricularia* spp.), wild celery (*Vallisneria americana*), coontail (*Ceratophyllum demersum*), water milfoils (*Myriophyllum* spp.), muskgrass (*Chara* spp.), stonewort (*Nitella* spp.), waterweeds (*Elodea* spp.), and water smartweed (*Polygonum amphibium*);

Lands and submerged lands containing remnants of any vegetation that is not aquatic or semi-aquatic that has died because of wet conditions over a sufficiently long period, provided that such wet conditions do not exceed a maximum seasonal water depth of six feet and provided further that such conditions can be expected to persist indefinitely, barring human intervention;

- C. Lands and waters substantially enclosed by aquatic or semi-aquatic vegetation as set forth in paragraph (A) or by dead vegetation as set forth in paragraph (B), the regulation of which is necessary to protect and preserve the aquatic and semi-aquatic vegetation; and
- D. The waters overlying the areas set forth in (A) and (B) and the lands underlying (C).

MATERIAL -- Includes but is not limited to soil, sand, gravel, clay, bog, peat, mud, debris and refuse or any other material, organic or inorganic.

NATURAL DRAINAGE SYSTEM -- Consists of those uplands, floodplain lands and watercourses, including but not limited to those tidal wetlands designated on the New York State Department of Environmental Control Official Tidal Wetlands Map, freshwater wetlands designated on the Freshwater Wetlands Map for Suffolk County and the Riverhead Freshwater Wetlands Inventory (1979). Such lands and waters may include

but are not limited to all uplands exhibiting fifteen percent (15%) or greater slopes, all fresh, salt or brackish water, swamps, bogs, marshes, streams, vernal ponds, ponds, lakes and all lands within the coastal floodplain, whether intermittently or permanently saturated or covered by ground, surface or tidal waters.

OPERATION -- Use or activity, removal, deposition or construction operations, or all of these.

PEAK LUNAR TIDES -- Those excessively high tides or spring tides caused by lunar gravitational phenomena.

PERSON -- Any person, firm, partnership, association, corporation, company, organization or legal entity of any kind, including municipal corporations, governmental agencies or subdivisions thereof.

REMOVE -- Includes dig, dredge, suck, bulldoze, dragline or blast.

TIDAL WETLANDS or WETLANDS - Any lands delineated as tidal wetlands on the Tidal Wetlands Map for Riverhead promulgated by the New York State Department of Environmental Conservation. Such lands shall comprise the following classifications as delineated on such map:

COASTAL FRESH MARSH - The tidal wetland zone, designated FM on an inventory map, found primarily in the upper tidal limits of river systems where significant freshwater inflow dominates the tidal zone. Species normally associated with this zone include narrow leaved cattail (*Typha angustifolia*), the tall brackish water cordgrasses (*Spartina pectinata* and /or *S. cynosuroides*), and the more typically emergent freshwater species such as arrow arum (*Peltandra*), pickerel weed (*Ponederia*), and cutgrass (*Leersia*).

INTERTIDAL MARSH - The vegetated tidal wetland zone, designated IM on an inventory map, lying generally between average high and low tidal elevation. The predominant vegetation in this zone is low marsh cordgrass (*Spartina alterniflora*).

COASTAL SHOALS, BARS, and FLATS - The tidal wetland zone, designated SM on an inventory map, that (1) at high tide is covered by water, (2) at low tide is exposed or is covered by water to a maximum depth of approximately one foot, and (3) is not vegetated by low marsh cordgrass (*Spartina alterniflora*), except as otherwise determined in a specific case as provided in section 661.26 of the Tidal Wetlands-Land Use Regulations as promulgated by the Department of Environmental Conservation.

LITTORAL ZONE - The tidal wetlands zone, designated LZ on an inventory map, that includes all lands under tidal waters which are not included in any other category, except as otherwise determined in a specific case as provided in section 661.26 of the Tidal Wetlands-Land Use Regulations as promulgated by the Department of Environmental Conservation. Provided, there shall be no littoral zone under waters deeper than six feet at mean low water.

HIGH MARSH or SALT MARSH - The normal uppermost tidal wetland zone, designated HM on an inventory map, usually dominated by salt meadow grass (*Spartina patens*), and spike grass (*Distichlis spicata*). This zone is periodically flooded by spring and storm tides and is often vegetated by low vigor marsh grass (*Spartina alterniflora*), and seaside lavender (*Limonium carolinianum*). Upper limits of this zone often include black grass (*Juncus gerardi*), chairmaker's rush (*Scirpus* sp.), marsh elder (*Iva frutescens*), and groundsel bush (*Baccharis halimifolia*).

FORMERLY CONNECTED TIDAL WETLANDS - The tidal wetlands zone, designated FC on an inventory map, in which normal tidal flow is restricted by man-made causes. Typical tidal wetland plant species may exist in such areas although they may be infiltrated with common reed (*Phragmites* sp.).

UNITED STATES COAST AND GEODETIC SURVEY CONTOUR -- Those elevations established on contour maps of the United States Coast and Geodetic Survey.

UPLAND -- Includes all lands at elevations above the most landward edge of the tidal marsh and/or above peak lunar tides or peak storm tides of record.

WATERCOURSES -- All water bodies other than tidal waters, including freshwater streams, marshes, swamps, bogs, vernal ponds, ponds and lakes.

WATERSHED LANDS -- All land surface areas bounded peripherally by a water parting and draining ultimately to a particular watercourse. Such lands shall include all surface water catchment areas or drainage basins from which the watercourses are drawn via surface drainage.

§ 107-4. Regulated areas.

It shall be unlawful for any person, without obtaining a written permit issued by the Town of Riverhead, to:

- A. Place or deposit, or permit to be placed or deposited, debris, fill or any materials, including structures, into or within 150 feet of the boundary of any tidal waters, tidal wetlands, floodplain lands, freshwater wetlands, natural drainage systems, or other watercourses.

B. Dig, dredge, clear vegetation or in any other way alter or remove any material in or within 150 feet of any tidal waters, tidal wetlands, floodplain lands, freshwater wetlands, natural drainage systems, or other watercourses.

C. Plant, seed, cultivate or maintain with the use of fertilizer or pesticide, any lands, other than those exempted under section 107-5-B(3), unless the occupier of the land maintains a natural 75 foot buffer from any wetland boundary.

D. Construct groins, docks, bulkheads, dwellings, roads or other nonaccessory use structures in or within 150 feet of the boundary of any tidal waters, tidal wetlands, floodplain lands, freshwater wetlands, natural drainage systems, or other watercourses.

E. Build, create, or install any new cesspool, septic tank, leaching field or other in-ground sewage or other waste disposal or storage system, including any pipe, conduit or other part thereof, or any above-ground or in-ground holding tank for any liquid other than water upon, under, or within 150 feet of the boundary of any tidal waters, tidal wetlands, floodplain lands, freshwater wetlands, natural drainage systems, or other watercourses.

§ 107-5. Permitted acts.

A. The acts set forth in § 107-4 are permissible if done pursuant to terms and conditions of a permit approved by the Town Board and/or the Town Building Department, or pursuant to an approved and filed subdivision map or building permit carrying final approval.

B. The following operations and uses are permitted in the tidal waters, tidal wetlands, floodplain lands, freshwater wetlands, natural drainage systems, or other watercourses as a matter of right, subject to the provisions of § 107-4:

- (1) Conservation of soil, vegetation, water, fish, shellfish and wildlife.
- (2) Outdoor recreation, including play and sporting areas, field trials, nature study, hiking, horseback riding, swimming, skin diving, camping, boating, water skiing, trapping, hunting, fishing and shellfishing where otherwise legally permitted and regulated.
- (3) Planting, seeding, cultivating or maintaining, without the use of fertilizers or pesticides, a disturbed area in agricultural use or horticulturally improved on the effective date of this legislation.
- (4) Operation of dams and other water-control devices, including temporary alteration or diversion of water levels or circulation for emergency, maintenance or aquaculture purposes.

(5) Boat anchorage or mooring.

(6) Uses accessory to residential or other permitted primary uses of adjoining lands or waters, provided that they are consistent with the intent and objectives of this chapter.

C. Upon the issue of a special permit for an exception to § 107-4 and subject to such special conditions or safeguards as the Town Board may deem necessary to fulfill the intent and objectives of this chapter, the following uses and operations are permitted:

- (1) Docks, bulkheads, boat launching or landing sites and marinas.
- (2) Temporary storage of materials.

(3) Commercial or private recreation facilities consistent with this chapter as determined by the Town Board.

(4) Dams and other water-control devices, dredging or diversion of water levels or circulation or changes in watercourses to improve hazardous navigation conditions, or for the improvement of fish, shellfish or wildlife habitat, recreation facilities or drainage improvements deemed to be consistent with the intent and objectives of this chapter by the Town Board.

(5) Driveways and roads where alternative means of access are proven to be impractical in the considered judgment of the Town Board.

D. All uses and operations permitted or approved by special permit shall be conducted in such a manner as will cause the least possible damage and encroachment or interference with natural resources and natural processes within the tidal waters, tidal wetlands, floodplain lands, freshwater wetlands, natural drainage systems, or other watercourses.

E. Provided that the Planning Board or Zoning Board of Appeals, as the case may be, concurs, that portion of any single lot or subdivision within tidal waters, tidal wetlands, floodplain lands, freshwater wetlands, natural drainage systems, or other watercourses may be used in calculating the area and yard requirements for the zoning district in which the remainder of the lot or subdivision is situated.

F. The valuation placed on lands within tidal waters, tidal wetlands, floodplain lands, freshwater wetlands, natural drainage systems, or other watercourses for purposes of real estate taxation shall take into account and be limited by the limitation on future use of such land, provided that the landowner grants to the Town a permanent scenic or

conservation easement to run with the land. Such easement shall not necessarily include public access, but shall give to the Town all development and management rights upon the land subject to the easement. The value of such easement shall be a legal income tax deduction subject to Internal Revenue Code, B. Statutes and Rulings, Section 170, Charitable, etc., Contributions and Gifts.

§ 107-6. Application for permit.

A. All applicants for a permit to do any of the acts regulated or permitted by §§ 107-4 and 107-5 shall present an original and three (3) copies of the permit application, together with other required information, to the office of the Town Conservation Advisory Council. An application fee of fifty dollars (\$50) is to be paid to the Town Clerk. All applications and copies thereof must be accompanied by or include the following information:

- (1) The name and address of the applicant and the applicant's agent, if any, and whether the applicant is the owner, lessee, licensee, etc. If the applicant is not the owner, the written consent of the owner, duly acknowledged, must be attached.
- (2) The purpose of the proposed removal or deposition operations, use or activity.
- (3) The amount of material proposed to be removed or deposited or the type of use.
- (4) A description of the area in which such removal, deposition or use is proposed.

The description shall be by bearing distance and based upon the Lambert Projection.

North and east coordinates of the starting point shall be given.

(5) The depth to which removal or deposition operations are proposed and the angle of repose of all slopes, including deposited materials and sides of channels or excavations resulting from removal operations.

(6) The manner in which material will be removed or deposited, structure installed or use carried out.

B. The permit application shall be accompanied by:

(1) A survey and topographical map, with contours shown at two-foot intervals and the area of removal, deposition, use or construction indicated.

(a) All maps shall be certified by a registered land surveyor or professional engineer, both licensed in the State of New York.

(b) The survey and topographical map shall show the soundings, depth or height of the proposed removal and deposition area. The vertical control for elevation and soundings shall be based upon United States Coast and Geodetic Survey and/or United States Geological Survey datum.

(2) The names and addresses of all owners of lands contiguous to lands and waters where proposed operations will take place.

(3) A performance bond or other security representing no more than five percent (5%) of the estimated cost of the proposed operation as designated by the Town Board.

C. This chapter does not obviate the necessity for the applicant to obtain the assent of or a permit required by any other agency before proceeding with operations under an approved Town Board permit. Approvals or permits which may be required by the Town Board, New York State Department of Environmental Conservation, Suffolk County Department of Health Services, State Water Resources Commission, Army Corps of

Engineers or others are solely the responsibility of the applicant. No operations shall be initiated by the applicant until such other permits as may be required are issued.

D. All applications for building permits, filed subdivision maps or any development within 150 feet of the boundary of tidal waters, tidal wetlands, floodplain lands, freshwater wetlands, natural drainage systems, or other watercourses shall be reviewed by the Town Conservation Advisory Council. The Council shall file its report with the Town Board as provided in § 107-7B.

§ 107-7. Procedure for issuance of permit; display of permit; inspections.

A. The Town Clerk shall retain the original permit application for his files and distribute one (1) copy each to the Town Board, the Conservation Advisory Council and all other involved agencies.

B. The Conservation Advisory Council shall review all completed permit applications and provide a written report decision to the Town Board, other involved agencies, and the applicant stating its findings and conclusions, within twenty-one (21) days of its receipt of said application. However such twenty-one-day time period shall not apply where an environmental impact statement is to be prepared by the applicant, in which case said sixty-day period shall not commence until a final environmental impact statement has been accepted by the lead agency exercising jurisdiction over the project. The Conservation Advisory Council decision shall be binding unless modified by the Town Board within ten (10) days of submittal by the Conservation Advisory Council to the Town Board. Such ten-day period shall commence upon the lapse of three (3) days from mailing of a copy of the decision of the Conservation Advisory Council to the

applicant or service upon the Town Board, whichever shall be later. If either the applicant or the Town Board desires a modification of the decision of the Conservation Advisory Council, a public hearing shall be held upon prior reasonable public notice published in the official newspaper of the Town, and the Town Board shall hold a public hearing on the permit application. The Town Board shall, after the required public hearing, then render a decision to deny, approve or approve with conditions the permit application. In rendering a decision of approval, approval with conditions or denial of a permit, the Town Board shall state, in writing, its findings of fact and conclusions. The decision shall be transmitted to the Town Clerk, who will advise the applicant of such decision by transmitting a copy of the permit application to the applicant, together with the decision and conditions, if any, imposed by the Town Board attached.

C. The decision of the Town Board regarding a permit application shall be judicially reviewable.

D. Based upon the proceedings and decision of the court in the event a taking is declared, the Town may, within the time specified by the court, elect to:

- (1) Institute condemnation proceedings to acquire the applicant's land in fee by purchase at the fair market value.
- (2) Approve the permit application with lesser restrictions or conditions.
- (3) Invalidate all conditions and the application of this chapter to the plaintiff's land and grant a permit without conditions.

E. The permit applicant or his agent proceeding with operations approved shall carry on his person or have readily available the approved permit and shall show same to any agency or agent of the Town of Riverhead whenever requested.

F. Operations conducted under the permit shall be open to inspection at any time by any agency or agent of Riverhead Town.

§ 107-8. Compliance with conditions.

A. The permit applicant, upon approval of a permit, shall file with the Town Clerk a performance bond, if required, in an amount and with sureties and in a form approved by the Town Board. The bond and sureties shall be conditioned upon compliance with all provisions of this chapter and conditions imposed upon permit approval.

B. The applicant shall certify that he has public liability insurance against any liability which might result from proposed operations or use covering any and all damage which might occur within three (3) years of completion of such operations. The amount of liability insurance coverage shall be a minimum of five hundred thousand dollars (\$500,000.) for all accidents resulting in bodily injury or death and one hundred thousand dollars (\$100,000.) for property damage.

C. The applicant shall also submit to the Town Clerk an affidavit which indemnifies and saves harmless the Town or any agency or agent thereof from any claims arising out of or connected with operations under the permit and from all acts, omissions, commissions or negligence on the part of the applicant, his agents or employees.

D. In the case of removal, deposition, placement of structures and other operations or uses permitted within tidal waters, tidal wetlands, floodplain lands, freshwater wetlands, natural drainage systems, or other watercourses the Town Board shall reserve the right to require payments to the Town in an amount and in such manner as the Town Board shall direct.

E. The Town Board shall reserve the right to require a permit or license for any operations or uses permitted in the tidal waters, tidal wetlands, floodplain lands, freshwater wetlands, natural drainage systems, or other watercourses.

§ 107-9. Notice of violation; penalties for offenses.

- A. The provisions of this chapter shall be enforced by Ordinance Inspectors and Police Officers of the Town of Riverhead, who shall be authorized to issue appearance tickets to violators at the site of the violation.
- B. A violation of this chapter is hereby declared to be an offense punishable by a fine not exceeding one thousand dollars (\$1000.00) or imprisonment for a period not to exceed six (6) months, or both. Each day's continued violation of this chapter will constitute a separate additional violation.
- C. Nothing herein will prevent the proper local authorities of the Town from taking such other lawful actions or proceedings as may be necessary to restrain, correct or abate any violation of this chapter.
- D. Any person, firm, corporation or entity violating the provisions of this chapter shall become liable to the Town for any expense or loss or damage occasioned the Town by reason of such violation.
- E. In addition to any penalties, fines, forfeitures or injunctions that may be imposed pursuant to this § 107-9, an applicant who files an application for a permit pursuant to § 107-7, after a violation of this chapter has occurred, shall pay an

application fee of one hundred dollars (\$100.) in lieu of the fifty-dollar application fee provided for in § 107-6.

Section 107-10. Continuation of existing or prior conditions.

Any structures, dwellings, construction or operations existing within tidal waters, tidal wetlands, floodplain lands, freshwater wetlands, natural drainage systems, or other watercourses shall be exempt from this chapter and permitted to continue, provided that:

- A. No new construction, structures, dwellings or operations will be permitted after the effective date of this chapter, except by permit as provided herein.
- B. Where damage or hazardous conditions exist, the landowner may be required by the Town Board to repair such damage or remedy such hazardous conditions as the Town Board may direct.

§ 107-11. Emergency and minor maintenance exceptions.

- A. Notwithstanding anything in this article to the contrary, no permit in accordance with 107-4 shall be required for:

(1) The placement, restoration or rehabilitation, in place and in kind, of a documented existing coastal erosion structure, dock, piling or dolphin which has been damaged or destroyed, provided that a building permit is first obtained for such repair, replacement, restoration, or rehabilitation, and provided further that application for such building permit has been made within one year of the occurrence of the damage or destruction necessitating the proposed work; and providing the

approved in writing by the Building Department.

(2) Minor maintenance, in place and in kind, to any documented existing coastal erosion structure or dock, provided that each of the following conditions are satisfied:

- (a) The maintenance work proposed does not exceed an aggregate of 25% of the total existing dock or linear footage of bulkhead;
- (b) The materials to be used, method of installation and disposal of material removed are approved in writing by the Building Department;
- (c) A building permit is first obtained incorporating such reasonable conditions as may be necessary; and
- (d) No minor maintenance building permits totaling an aggregate of more than 25% has been issued within the prior three years.

Adopted

July 17th, 2001

TOWN OF RIVERHEAD

Resolution # 794

DECLARES LEAD AGENCY AND DETERMINES ENVIRONMENTAL SIGNIFICANCE OF CONDEMNATION OF REAL PROPERTY AT RAILROAD AVENUE, RIVERHEAD

COUNCILMAN DENSIESKI

offered the following resolution which

COUNCILMAN LULL

was seconded by _____.

WHEREAS, by resolution #262 of 1998 the Riverhead Town Board did adopt an Urban Renewal Plan for the Railroad Avenue area, pursuant to Articles 15 and 15A of the New York State General Municipal law, and

WHEREAS, the preparation of such Urban Renewal Plan was considered to be an Unlisted Action pursuant to 6NYCRR Part 617 not requiring the preparation of an Environmental Impact Statement, and

WHEREAS, the Town Board has previously acquired certain parcels within the Railroad Avenue Urban Renewal Plan in accordance with that plan and, in doing so, had adopted Resolution # 1198 on December 29, 1998, declaring itself lead agency for said acquisitions, classifying the acquisitions as unlisted actions and determining that significant impacts can be mitigated through project design and that an Environmental Impact Statement need not be prepared; and

WHEREAS, this Town Board intends to commence proceedings pursuant to Article 2 of the New York State Eminent Domain Procedure Law with respect to the condemnation of certain other parcels of real property within the Railroad Avenue Urban Renewal area in furtherance of the implementation of such aforementioned Urban Renewal Plan, and

WHEREAS, the Town Board is scheduling public hearings in furtherance of such condemnations, and

WHEREAS, the Planning Department has prepared an Environmental Assessment Form assessing the impacts to the natural and social environmental resulting from such condemnation, demolition and improvement of aforementioned properties, and

WHEREAS, the Town Board has carefully considered the merits of such condemnations, the SEQRA record created to date, the EAF as prepared by the Planning

Department, the contents and conclusions of the Railroad Avenue Urban Renewal Plan, as well as all other relevant planning, zoning and environmental information.

NOW THEREFORE BE IT

RESOLVED, that in the matter of the condemnation of real property at Court Street and Railroad Avenue more particularly described as Suffolk County Tax Map Numbers, 0600-128-3-10; 0600-128-3-11; 0600-128-3-005; 0600-128-3-006; 06000-128-3-004, the Town Board hereby declares itself to be the lead agency pursuant to 6NYCRR Part 617, and

BE IT FURTHER

RESOLVED, that this Town Board hereby determines the matter to be an Unlisted Action such that significant impacts can be mitigated through project design and that an Environmental Impact Statement need not be prepared, and

BE IT FURTHER

RESOLVED, that the Planning Director be authorized to publish and post those notices of non-significance as required by law, and

BE IT FURTHER

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Frank Isler, Esq. as agent for the Town and to the Community Development Director, Andrea Lohneiss.

THE VOTE

Densleski ☒ Yes ☐ No Cardinale ☒ Yes ☐ No

Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No

Kozakiewicz ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

Adopted

7/17/01

TOWN OF RIVERHEAD

Resolution # 795

SCHEDULING A PUBLIC HEARING PURSUANT TO ARTICLE 2 OF THE NEW YORK STATE EMINENT DOMAIN PROCEDURE LAW IN CONNECTION WITH THE CONDEMNATION OF 201 RAIL ROAD STREET, SCTM 0600-128-03-005 RIVERHEAD, NEW YORK

COUNCILMAN LULL

_____ offered the following resolution, was seconded
by COUNCILMAN KENT :

BE IT RESOLVED, that the Town Board of the Town of Riverhead, hereby determines to hold a public hearing on AUGUST 21, 2001 at 7:25 o'clock in the evening of that day pursuant to Article 2 of the New York State Eminent Domain Procedure Law with respect to the proposed condemnation of 201 Rail Road Street, reputed owner, Kevin and Daniel Conlan, Suffolk County Tax Map 0600-128-03-005, in connection with the Town of Riverhead Urban Renewal Plan Railroad Street Corridor, adopted April 1, 1997.

This acquisition is being made pursuant to the above mentioned urban renewal plan has been determined by the Town Board of the Town of Riverhead, as lead agency, to be an unlisted action without a significant impact on the environment, as more fully set forth in the resolution of the Town Board adopted December 29, 1998 and July 17, 2001; and be it further

RESOLVED, that the Town Clerk is hereby directed to publish the attached notice of public hearing as follows:

a. in two (2) successive issues of the News Review, the official newspaper of the Town of Riverhead commencing in the issued dated Thursday, August 2, 2001, and then in the issued dated Thursday, August 9, 2001, and

b. in five (5) successive issues of Newsday, a newspaper of general circulation within the Town of Riverhead, commencing on August 6, 2001; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution and the attached notice to Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP., P.O. Box 389, 456 Griffing Avenue, Riverhead, New York, 11901; the Town Attorney, and Andrea Lohneiss, Director of the Community Development Agency.

THE VOTE

Densleski ☒ Yes ___ No ___ Cardinals ☒ Yes ___ No ___Kent ☒ Yes ___ No ___ Lull ☒ Yes ___ No ___Kozakewicz ☒ Yes ___ No ___THE RESOLUTION WAS ☒ WAS NOT ___

THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held before the Town Board of the Town of Riverhead on the 21st day of August, 2001 at 7:25 o'clock in the evening of that day at the Town Hall located at 200 Howell Avenue, Riverhead, New York pursuant to Article 2 of the New York State Eminent Domain Procedure Law with respect to the proposed condemnation of 201 Rail Road Street, reputed owner, Kevin and Daniel Conlan, Suffolk County Tax Map 0600-128-03-005.

The proposed acquisition will be for urban renewal purposes pursuant to the Town of Riverhead Urban Renewal Plan, Railroad Street Corridor, adopted April 1, 1997.

This urban renewal project has been determined by the Town Board of the Town of Riverhead, as lead agency, to be an unlisted action without a significant impact on the environment, as more fully set forth in the resolutions of the Town Board adopted December 29, 1998 and July 17, 2001.

Dated: Riverhead, New York
July 17, 2001

BY ORDER OF THE TOWN BOARD OF
THE TOWN OF RIVERHEAD
BARBARA GRATTAN, TOWN CLERK

Adopted

7/17/01

TOWN OF RIVERHEAD

Resolution # 796

SCHEDULING A PUBLIC HEARING PURSUANT TO ARTICLE 2 OF THE NEW
YORK STATE EMINENT DOMAIN PROCEDURE LAW IN CONNECTION
WITH THE CONDEMNATION OF 217 RAIL ROAD STREET,
SCTM 0600-128-03-004
RIVERHEAD, NEW YORK

~~COUNCILMAN LULL~~

_____ offered the following resolution, was seconded
 by COUNCILMAN KENT :

BE IT RESOLVED, that the Town Board of the Town of Riverhead, hereby determines to hold a public hearing on AUGUST 21, 2001 at 7:30 o'clock in the evening of that day pursuant to Article 2 of the New York State Eminent Domain Procedure Law with respect to the proposed condemnation of 217 Rail Road Street, reputed owner, Kevin Conlan, Suffolk County Tax Map 0600-128-03-004, in connection with the Town of Riverhead Urban Renewal Plan Railroad Street Corridor, adopted April 1, 1997.

This acquisition is being made pursuant to the above mentioned urban renewal plan has been determined by the Town Board of the Town of Riverhead, as lead agency, to be an unlisted action without a significant impact on the environment, as more fully set forth in the resolution of the Town Board adopted December 29, 1998 and July 17, 2001; and be it further

RESOLVED, that the Town Clerk is hereby directed to publish the attached notice of public hearing as follows:

a. in two (2) successive issues of the News Review, the official newspaper of the Town of Riverhead commencing in the issued dated Thursday, August 2, 2001, and then in the issued dated Thursday, August 9, 2001, and

b. in five (5) successive issues of Newsday, a newspaper of general circulation within the Town of Riverhead, commencing on August 6, 2001; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution and the attached notice to Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP., P.O. Box 389, 456 Griffing Avenue, Riverhead, New York, 11901; the Town Attorney, and Andrea Lohneiss, Director of the Community Development Agency.

THE VOTE
 Densieski ☒ Yes ___ No ___ Cardinals ☒ Yes ___ No ___
 Kent ☒ Yes ___ No ___ Lull ☒ Yes ___ No ___
 Kozakiewicz ☒ Yes ___ No ___
 THE RESOLUTION WAS ☒ WAS NOT ___
 THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held before the Town Board of the Town of Riverhead on the 21st day of August, 2001 at 7:30 o'clock in the evening of that day at the Town Hall located at 200 Howell Avenue, Riverhead, New York pursuant to Article 2 of the New York State Eminent Domain Procedure Law with respect to the proposed condemnation of 217 Rail Road Street, reputed owner, Kevin Conlan, Suffolk County Tax Map 0600-128-03-004.

The proposed acquisition will be for urban renewal purposes pursuant to the Town of Riverhead Urban Renewal Plan, Railroad Street Corridor, adopted April 1, 1997.

This urban renewal project has been determined by the Town Board of the Town of Riverhead, as lead agency, to be an unlisted action without a significant impact on the environment, as more fully set forth in the resolutions of the Town Board adopted December 29, 1998 and July 17, 2001.

Dated: Riverhead, New York
July 17, 2001

BY ORDER OF THE TOWN BOARD OF
THE TOWN OF RIVERHEAD
BARBARA GRATTAN, TOWN CLERK

Adopted

7/17/01

TOWN OF RIVERHEAD

Resolution # 797

SCHEDULING A PUBLIC HEARING PURSUANT TO ARTICLE 2 OF THE NEW
YORK STATE EMINENT DOMAIN PROCEDURE LAW IN CONNECTION
WITH THE CONDEMNATION OF 207 RAIL ROAD STREET,
SCTM 0600-128-03-006
RIVERHEAD, NEW YORK

COUNCILMAN LULL

_____ offered the following resolution, was seconded
 by COUNCILMAN KENT :

BE IT RESOLVED, that the Town Board of the Town of Riverhead, hereby determines to hold a public hearing on **AUGUST 21, 2001** at 7:35 o'clock in the evening of that day pursuant to Article 2 of the New York State Eminent Domain Procedure Law with respect to the proposed condemnation of 207 Rail Road Street, reputed owner, MRH Realty, Suffolk County Tax Map 0600-128-03-006, in connection with the Town of Riverhead Urban Renewal Plan Railroad Street Corridor, adopted April 1, 1997.

This acquisition is being made pursuant to the above mentioned urban renewal plan has been determined by the Town Board of the Town of Riverhead, as lead agency, to be an unlisted action without a significant impact on the environment, as more fully set forth in the resolution of the Town Board adopted December 29, 1998 and July 17, 2001; and be it further

RESOLVED, that the Town Clerk is hereby directed to publish the attached notice of public hearing as follows:

a. in two (2) successive issues of the News Review, the official newspaper of the Town of Riverhead commencing in the issued dated Thursday, August 2, 2001, and then in the issued dated Thursday, August 9, 2001, and

b. in five (5) successive issues of Newsday, a newspaper of general circulation within the Town of Riverhead, commencing on August 6, 2001; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution and the attached notice to Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP., P.O. Box 389, 456 Griffing Avenue, Riverhead, New York, 11901; the Town Attorney, and Andrea Lohneiss, Director of the Community Development Agency.

THE VOTE

Densleski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

PLEASE TAKE NOTICE, that a public hearing will be held before the Town Board of the Town of Riverhead on the 21st day of August, 2001 at 7:35 o'clock in the evening of that day at the Town Hall located at 200 Howell Avenue, Riverhead, New York pursuant to Article 2 of the New York State Eminent Domain Procedure Law with respect to the proposed condemnation of 207 Rail Road Street, reputed owner, MRH Realty, Suffolk County Tax Map 0600-128-03-006.

The proposed acquisition will be for urban renewal purposes pursuant to the Town of Riverhead Urban Renewal Plan, Railroad Street Corridor, adopted April 1, 1997.

This urban renewal project has been determined by the Town Board of the Town of Riverhead, as lead agency, to be an unlisted action without a significant impact on the environment, as more fully set forth in the resolutions of the Town Board adopted December 29, 1998 and July 17, 2001.

Dated: Riverhead, New York
July 17, 2001

BY ORDER OF THE TOWN BOARD OF
THE TOWN OF RIVERHEAD
BARBARA GRATTAN, TOWN CLERK

Adopted

7/17/01

TOWN OF RIVERHEAD

Resolution # 798

SCHEDULING A PUBLIC HEARING PURSUANT TO ARTICLE 2 OF THE NEW
YORK STATE EMINENT DOMAIN PROCEDURE LAW IN CONNECTION
WITH THE CONDEMNATION OF 210 COURT STREET,
SCTM 0600-128-03-010
RIVERHEAD, NEW YORK

COUNCILMAN LULL offered the following resolution, was seconded
 by COUNCILMAN KENT:

BE IT RESOLVED, that the Town Board of the Town of Riverhead, hereby determines to hold a public hearing on AUGUST 21, 2001 at 7:15 o'clock in the evening of that day pursuant to Article 2 of the New York State Eminent Domain Procedure Law with respect to the proposed condemnation of 210 Court Street, reputed owner, Clubhouse of Suffolk Inc., Suffolk County Tax Map 0600-128-03-010, in connection with the Town of Riverhead Urban Renewal Plan Railroad Street Corridor, adopted April 1, 1997.

This acquisition is being made pursuant to the above mentioned urban renewal plan has been determined by the Town Board of the Town of Riverhead, as lead agency, to be an unlisted action without a significant impact on the environment, as more fully set forth in the resolution of the Town Board adopted December 29, 1998 and July 17, 2001; and be it further

RESOLVED, that the Town Clerk is hereby directed to publish the attached notice of public hearing as follows:

a. in two (2) successive issues of the News Review, the official newspaper of the Town of Riverhead commencing in the issued dated Thursday, August 2, 2001, and then in the issued dated Thursday, August 9, 2001, and

b. in five (5) successive issues of Newsday, a newspaper of general circulation within the Town of Riverhead, commencing on August 6, 2001; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution and the attached notice to Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP., P.O. Box 389, 456 Griffing Avenue, Riverhead, New York, 11901; the Town Attorney, and Andrea Lohneiss, Director of the Community Development Agency.

THE VOTE

Densieski ☒ Yes ___ No ___ Cardinale ☒ Yes ___ No ___

Kent ☒ Yes ___ No ___ Lull ☒ Yes ___ No ___

Kozaklewicz ☒ Yes ___ No ___

THE RESOLUTION WAS ☒ WAS NOT ___

THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held before the Town Board of the Town of Riverhead on the 21st day of August, 2001 at 7:15 o'clock in the evening of that day at the Town Hall located at 200 Howell Avenue, Riverhead, New York pursuant to Article 2 of the New York State Eminent Domain Procedure Law with respect to the proposed condemnation of 210 Court Street, reputed owner, Clubhouse of Suffolk Inc., Suffolk County Tax Map 0600-128-03-010.

The proposed acquisition will be for urban renewal purposes pursuant to the Town of Riverhead Urban Renewal Plan, Railroad Street Corridor, adopted April 1, 1997.

This urban renewal project has been determined by the Town Board of the Town of Riverhead, as lead agency, to be an unlisted action without a significant impact on the environment, as more fully set forth in the resolutions of the Town Board adopted December 29, 1998 and July 17, 2001.

Dated: Riverhead, New York
July 17, 2001

BY ORDER OF THE TOWN BOARD OF
THE TOWN OF RIVERHEAD
BARBARA GRATTAN, TOWN CLERK

7/17/01

TOWN OF RIVERHEAD

Adopted

Resolution # 799

SCHEDULING A PUBLIC HEARING PURSUANT TO ARTICLE 2 OF THE NEW
YORK STATE EMINENT DOMAIN PROCEDURE LAW IN CONNECTION
WITH THE CONDEMNATION OF 204 COURT STREET,
SCTM 0600-128-03-011
RIVERHEAD, NEW YORK

COUNCILMAN LULL

_____ offered the following resolution, was seconded
 by COUNCILMAN KENT :

BE IT RESOLVED, that the Town Board of the Town of Riverhead, hereby determines to hold a public hearing on AUGUST 21, 2001 at 7:20 o'clock in the evening of that day pursuant to Article 2 of the New York State Eminent Domain Procedure Law with respect to the proposed condemnation of 204 Court Street, reputed owner, Edwin F. Tuccio, Suffolk County Tax Map 0600-128-03-011, in connection with the Town of Riverhead Urban Renewal Plan Railroad Street Corridor, adopted April 1, 1997.

This acquisition is being made pursuant to the above mentioned urban renewal plan has been determined by the Town Board of the Town of Riverhead, as lead agency, to be an unlisted action without a significant impact on the environment, as more fully set forth in the resolution of the Town Board adopted December 29, 1998 and July 17, 2001; and be it further

RESOLVED, that the Town Clerk is hereby directed to publish the attached notice of public hearing as follows:

a. in two (2) successive issues of the News Review, the official newspaper of the Town of Riverhead commencing in the issued dated Thursday, August 2, 2001, and then in the issued dated Thursday, August 9, 2001, and

b. in five (5) successive issues of Newsday, a newspaper of general circulation within the Town of Riverhead, commencing on August 6, 2001; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution and the attached notice to Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP., P.O. Box 389, 456 Griffing Avenue, Riverhead, New York, 11901; the Town Attorney, and Andrea Lohneiss, Director of the Community Development Agency.

THE VOTE
 Densieski ☒ Yes ☐ No Cardinale ☒ Yes ☐ No
 Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No
 Kozakiewicz ☒ Yes ☐ No
 THE RESOLUTION WAS ☒ WAS NOT ☐
 THEREUPON DULY ADOPTED

PLEASE TAKE NOTICE, that a public hearing will be held before the Town Board of the Town of Riverhead on the 21st day of August, 2001 at 7:20 o'clock in the evening of that day at the Town Hall located at 200 Howell Avenue, Riverhead, New York pursuant to Article 2 of the New York State Eminent Domain Procedure Law with respect to the proposed condemnation of 204 Court Street, reputed owner, Edwin F. Tuccio, Suffolk County Tax Map 0600-128-03-011.

The proposed acquisition will be for urban renewal purposes pursuant to the Town of Riverhead Urban Renewal Plan, Railroad Street Corridor, adopted April 1, 1997.

This urban renewal project has been determined by the Town Board of the Town of Riverhead, as lead agency, to be an unlisted action without a significant impact on the environment, as more fully set forth in the resolutions of the Town Board adopted December 29, 1998 and July 17, 2001.

Dated: Riverhead, New York
July 17, 2001

BY ORDER OF THE TOWN BOARD OF
THE TOWN OF RIVERHEAD
BARBARA GRATTAN, TOWN CLERK

7/17/01

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 800

ORDER CALLING PUBLIC HEARING - EXTENSION TO THE CALVERTON
SEWER DISTRICT
CALVERTON BUSINESS INCUBATOR

ADOPTED _____

COUNCILMAN DENSIESKI

_____ offered the following resolution
which was seconded by COUNCILMAN LULL

WHEREAS, by resolution No. 33 adopted December 19, 2000, the Riverhead Town Board determined to deed property to Stony Brook University for the construction of the Calverton Business Incubator, which resolution required an application for extension of the Riverhead Sewer District to serve the premises being conveyed, and

WHEREAS, the Riverhead Industrial Development Agency, as agent for Stony Brook University, caused a map and plan to be prepared by H2M, consulting engineers to the Calverton Sewer District, dated June 14, 2001, and

WHEREAS, an Environmental Assessment Form dated July 3, 2001, prepared by H2M has been filed with the Town Clerk, and

WHEREAS, the maximum amount to be expended for the extension is \$320,000, to be borne by the Riverhead Industrial Development Agency, as agent for Stony Brook University, and paid by a grant from the State of New York, and

WHEREAS, key money will be assessed against this project to cover the cost of constructing capital improvement facilities, for a total cost of \$7,488, to be borne by the Riverhead Industrial Development Agency, as Agent for Stony Brook University, and paid by a grant from the State of New York, and

WHEREAS, the boundary of said extension is set forth fully in the attached Exhibit A, and

WHEREAS, it is necessary for the Town Board to hold a public hearing to hear all persons wishing to be heard with regard to the proposed extension,

NOW, THEREFORE, BE IT

THE VOTE

Densieski ☒ Yes ☐ No Cardinale ☒ Yes ☐ No

Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No

Kozakiewicz ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

RESOLVED, that the Riverhead Town Board determines the extension of the Calverton Sewer District to be an unlisted action, without a significant impact upon the environment, as detailed in the Environmental Assessment Form and map and plan prepared by H2M, and

BE IT FURTHER RESOLVED, that the Town Board will hold a public hearing on the 7th day of August, 2001, at 2:15 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the extension to the Calverton Sewer District, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution in full in the July 26th edition of the News Review, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to send a certified copy of this resolution, the Environmental Assessment Form, and map and plan to the New York State Department of Environmental Conservation, Attn: Regional Director, Stony Brook, New York, certified mail, return receipt requested, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Frank Isler, Esq., The Riverhead Industrial Development Agency, H2M, Stony Brook University, and Thomas Rothman, Esq.

BY ORDER OF THE RIVERHEAD TOWN BOARD
Barbara Grattan, Town Clerk

Dated: July 17, 2001
Riverhead, NY

Beginning at a point formed by the intersection of the southerly side of State Route 25 (Middle Country Road) and the westerly side of Wading River-Manorville Road running from said point a tie distance of 13,172.66 feet to the North Westerly corner of the parcel about to be described and the Point or Place of Beginning.

Running thence North $80^{\circ}10'09''$ East, a distance of 379.87 feet; thence North $88^{\circ}00'13''$ East, a distance of 576.61 feet; thence South $13^{\circ}18'00''$ East, a distance of 2333.65 feet; thence South $90^{\circ}00'00''$ West, a distance of 970.64 feet; thence North $13^{\circ}18'00''$ West, a distance of 2246.37 feet to the Point of Beginning. Containing 50.00 ACRES, more or less.

7/17/01

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 801

ORDER CALLING PUBLIC HEARING - EXTENSION 64 TO THE RIVERHEAD
WATER DISTRICT
CALVERTON BUSINESS INCUBATOR

ADOPTED 07/17/01

COUNCILMAN LULL

which was seconded by COUNCILMAN KENT the following resolution

WHEREAS, by resolution No. 33 adopted December 19, 2000, the Riverhead Town Board determined to deed property to Stony Brook University for the construction of the Calverton Business Incubator, which resolution required an application for extension of the Riverhead Water District to be known as Extension No. 64, to serve the premises being conveyed, and

WHEREAS, the Riverhead Industrial Development Agency, as agent for Stony Brook University, caused a map and plan to be prepared by H2M, consulting engineers to the Calverton Water District, dated May, 2001, and

WHEREAS, said map and plan details the proposed extension, which report recommends a 4-inch and 6-inch water service, 300 linear feet of water main including the appropriate valves, castings, backflow prevention and connection to the existing Riverhead Water District main along Route 25, and

WHEREAS, the maximum amount to be expended for the extension is \$22,000, to be borne by the Riverhead Industrial Development Agency, as agent for Stony Brook University, and paid by a grant from the State of New York, and

WHEREAS, key money will be assessed against this project to cover the cost of constructing capital improvement facilities, for a total cost of \$10,000, to be borne by the Riverhead Industrial Development Agency, as Agent for Stony Brook University, and paid by a grant from the State of New York, and

WHEREAS, the boundary of said extension is set forth fully in the attached Exhibit A, and

WHEREAS, it is necessary for the Town Board to hold a public hearing to hear all persons wishing to be heard with regard to the proposed extension,

THE VOTE
Densleski ☒ Yes ☐ No Cardinale ☒ Yes ☐ No
Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No
Kozakiewicz ☒ Yes ☐ No
THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

NOW, THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board determines the extension of the Riverhead Water District to be an unlisted action, without a significant impact upon the environment, as detailed in the Environmental Assessment Form and map and plan prepared by H2M, and

BE IT FURTHER RESOLVED, that the Town Board will hold a public hearing on the 7th day of August, 2001, at 2:15 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the extension to the Riverhead Water District to be known as Extension 64, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution in full in the July 26th edition of the News Review, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to send a certified copy of this resolution, the Environmental Assessment Form, and map and plan to the New York State Department of Environmental Conservation, Attn: Regional Director, Stony Brook, New York, certified mail, return receipt requested, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Gary Pendzick, Frank Isler, Esq., The Riverhead Industrial Development Agency, H2M, Stony Brook University, and Thomas Rothman, Esq.

BY ORDER OF THE RIVERHEAD TOWN BOARD
Barbara Grattan, Town Clerk

Dated: July 17, 2001
Riverhead, NY

EXHIBIT "A"

1520

RIVERHEAD WATER DISTRICT
ENGINEERING REPORT
FOR
PROPOSED EXTENSION NO. 64
CALVERTON/STONY BROOK INCUBATOR COMPLEX

DESCRIPTION OF EXTENSION

JUNE 2001

All this certain lot, parcel of land, said property being known as Section 135, Block 1, Lot 2, situated and lying and being at Calverton, Town of Riverhead, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at a point formed by the easterly right-of-way of Wading River-Manorville Road and the southerly right-of-way of Middle Country Road (also known as New York State Route 25).

Traveling easterly along the southerly right-of-way of Middle Country Road a distance of 13,172.66 feet to POINT OF BEGINNING.

From said POINT OF BEGINNING, running easterly along the southerly right-of-way line of Middle Country Road the following two (2) bearings and distances:

1. North 80° - 10'-09" East; 379.87 feet;
2. North 88° - 00'-13" East; approximately 184 feet

to a point formed by the apparent intersection of the southerly right-of-way of Middle Country Road and the westerly property line of Section 97, Block 1, Lot 80.

THENCE running southerly along a line known as the Riverhead Water District boundary line a distance of 500.00 feet to a point formed by a line being parallel to the southerly

right-of-way of Middle Country Road, herein said parallel line being a distance of 500.00 feet and a line produced southerly from the westerly property line of Section 97, Block 1, Lot 80 to the herein said point.

THENCE running easterly along a line known as the Riverhead Water District boundary line the following bearing and distance:

North $88^{\circ} - 00' - 13''$ East; approximately 478 feet to a point formed by a line being parallel to the southerly right-of-way of Middle Country Road. Herein said parallel line being a distance of 500.00 feet and the easterly property line of a proposed parcel of land known as the "Aquaculture/Agriculture Environmental Incubator" OR "Riverhead/Stony Brook Technology Park".

THENCE running southerly along the easterly property line of the herein said proposed parcel of land the following bearing and distance:

South $13^{\circ} - 18' - 00''$ East; approximately 1,824 feet to a point known as the southerly property corner of the herein said proposed parcel of land.

THENCE running easterly along the southerly property line of the herein said proposed parcel of land the following bearing and distance:

South $90^{\circ} - 00' - 00''$ West; 970.64 feet

to a point known as the southwesterly property corner of the herein said proposed parcel of land.

THENCE running northerly along the westerly property line of the herein said proposed parcel of land the following bearing and distance:

North 13° - 18'-00" West; 2,246.37 feet to the said of POINT OF BEGINNING.

END OF DESCRIPTION

July 17th, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 802**APPROVES SITE PLAN OF SUFFOLK COUNTY NATIONAL BANK**

COUNCILMAN LULL

_____ offered the following resolution,
 COUNCILMAN CARDINALE
 which was seconded by _____:

WHEREAS, a site plan and elevations were submitted by Thomas S. Kohlmann, to construct new corporate headquarters, located at West Second Street, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-128-5-06 & 09; and

WHEREAS, the Planning Department has reviewed the site plan dated February 9th, 2001, as prepared by E.S. Kalogeras, P.E., and elevations dated February 9th, 2001, as prepared by Charles Baldassano, R.A., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, the Town Board has carefully considered the merits of the site plan application, the SEQRA record to date, the report of the Planning Department, as well as all other relevant Planning, Zoning and Environmental information; and

WHEREAS, a copy of the site plan has been marked and initialed by the Town Board to show changes that are further set forth in this resolution, which site plan shall be on record with the Town Clerk; and

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number of the Office of the Supervisor of the Town of Riverhead; and;

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, That in the matter of the site plan application of Thomas S. Kohlmann, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Unlisted pursuant to 6NYCRR Part 617 and that an Environmental Impact Statement need not be prepared.

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Thomas S. Kohlmann to construct new corporate headquarters, located at West Second Street, Riverhead, New York, site plan dated February 9th, 2001, as prepared by E.S. Kalogeras, P.E., and elevations dated February 9th, 2001, as prepared by Charles Baldassano, R.A., be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan review and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, The Suffolk County National Bank hereby authorizes and

consents to the Town of Riverhead to enter premises at West Second Street, Riverhead, New York, New York, to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
11. That all new utilities shall be constructed underground;
12. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;
15. That the proposed parking area access to Roanoke Avenue be modified to allow southbound only exit from the parking area;
16. That no building permit shall be issued prior to the approval of building elevations by the Architectural Review Board; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Thomas S. Kohlmann, Suffolk County National Bank, Allen M. Smith, Esq., 737 Roanoke Avenue, PO Box 1240, Riverhead, New York, applicant's attorney, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

THE VOTE

Densleski	Yes	No	Cardinale	Yes	No
Kent	Yes	No	Kull	Yes	No
Kozakiewicz	Yes	No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 2000, made by The Suffolk County National Bank, residing at 6 West Street, Riverhead, New York, Declarant:

WITNESSETH:

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
3. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, The Suffolk County National Bank hereby authorizes and consents to the Town of Riverhead to enter premises at West Second Street, Riverhead, New York, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

Declarant has hereunto set his/her hand and seal the day and year above first written.

The Suffolk County National Bank

STATE OF NEW YORK)

: ss.:

COUNTY OF SUFFOLK)

On the ____ day of _____, in the year _____ before me, the
undersigned, _____ personally _____ appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the
individual(s) whose name(s) is (are) subscribed to the within instrument and
acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and
that by his/her/their signature(s) on the instrument, the individual(s), or the person upon
behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

July 17, 2001

Adopted
08/21/01

152
Tabled

TOWN OF RIVERHEAD

Resolution # 803

APPROVES SPECIAL PERMIT PETITION OF MID ROAD PROPERTIES

COUNCILMAN LULL

offered the following resolution which

COUNCILMAN KENT

was seconded by

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a special permit petition from Mid Road Properties to allow the construction of a retirement community consisting of 126 condominium units and associated amenities upon real property located at Middle Road, Riverhead such real property more particularly described as Suffolk County Tax Map Number 0600-81-1-1.1, and

WHEREAS, by resolution #580 of 2000, the Town Board did declare themselves to be the Lead Agency, and

WHEREAS, the Town Board has referred the petition to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending the granting of the special permit petition, and

WHEREAS, the Town Board has carefully considered the merits of the petition, the SEQRA record created to date, the report of the Planning Department, the report of the Planning Board, the commentary made at the prevalent public hearing, as well as all other pertinent planning, zoning and environmental information, now

THEREFORE, BE IT

RESOLVED, that in the matter of the special permit petition of Mid Road Properties the Riverhead Town Board hereby makes the following findings:

1. That the property lies within the Retirement Community Zoning Use District;
2. That the real property is proximate to retail shopping areas, recreation and health services and is considered appropriate for the proposed use;
3. That the proposed development yield of 126 units is less than the 154 units allowable pursuant to Article 6 of the Suffolk County Sanitary Code;
4. That the peak hour volume of 34 motor vehicle trip ends is not expected to create an unacceptable level of service for the proposed intersection at Middle Road;

5. That existing community services are adequate to meet the expected demand of the proposed use;
6. That the lot area is sufficient for the proposed use and any anticipated expansion thereof;
7. That the total number of units is justified in relation to the total number of units of retirement community housing units otherwise proposed or occupied within the Town of Riverhead, and

BE IT FURTHER

RESOLVED, that the town Board hereby determined the action to be Unlisted without a significant impact upon either the natural or social environment and that an Environmental Impact Statement need not be prepared, and

BE IT FURTHER

RESOLVED, that based upon its findings, the Riverhead Town Board hereby approves the special permit of Mid Road Properties subject to an irrevocable offer of dedication of the open space area shown upon the site plan prepared by Young & Young on July 2, 2001, and depicted as "Woods to Remain", and

BE IT FURTHER

RESOLVED, that such special permit shall be valid for a period of thirty-six (36) months, and

BE IT FURTHER

RESOLVED, that copies of this resolution be forwarded to Peter S. Danowski, Esq. as agent for the applicant, Building Department, Planning Board and Planning Department.

COUNCILMAN CARDINALE OFFERED THE RESOLUTION TO BE TABLED, WHICH WAS SECONDED BY COUNCILMAN KENT.

AUGUST 21, 2001 TOWN BOARD MEETING:

COUNCILMAN LULL OFFERED THE RESOLUTION TO BE BROUGHT OFF THE TABLE., WHICH WAS SECONDED BY COUNCILMAN DENSIESKI.

THE VOTE

THE VOTE: DENSIESKI, YES, CARDINALE NO, KENT, NO, LULL, YES, AND KOZAKIEWICZ, YES.

THE RESOLUTION WAS _____ WAS NOT _____ THEREUPON DULY ADOPTED.

THE RESOLUTION WAS THEREUPON DECLARED TO BE BROUGHT OFF THE TABLE.

COUNCILMAN LULL OFFERED THE RESOLUTION FOR ADOPTION, WHICH WAS SECONDED BY COUNCILMAN DENSIESKI.

THE VOTE: DENSIESKI, YES, CARDINALE, NO, KENT, NO, LULL, YES, AND KOZAKIEWICZ YES.

THE RESOLUTION WAS THEREUPON DECLARED TO BE BROUGHT OFF THE TABLE.

Tabled

Adopted
08/21/01

AUGUST 21, 2001

PLEASE SEE RESOLUTION FOLLOWING, PAGE 1532a & 1532 b
for adoption of resolution with amendments

July 17, 2001

~~July 16, 2001~~

1531
Tabled

TOWN OF RIVERHEAD

Resolution # 804

AMENDS RESOLUTION NO. 824 OF 1999 – APPROVES SPECIAL PERMIT PETITION OF FOXWOOD VILLAGE II

Councilman Densieski offered the following resolution which
was seconded by Councilman Lull

WHEREAS, by resolution No. 824 of 1999, the Riverhead town Board did grant the special permit petition of Foxwood Village II to allow the construction of an expansion to an existing mobile home park (Foxwood Village), and

WHEREAS, such approval did limit the construction of pre-fabricated residential units to 78 units with an additional sixteen (16) units to be approved predicated upon the transfer of development rights from the agricultural sending area pursuant to Chapters 44 and 95-A of the Riverhead Town Code, and

WHEREAS, the petitioner has attempted to secure Health Department approval (Article 6) for the additional sixteen (16) residential units, and

WHEREAS, such health department approval has been predicated upon the sterilization of the fee title of sixteen (16) acres of real property as opposed to the transfer of development rights which would result in agriculture as a residual use, and

WHEREAS, the sterilization of lands within the agricultural sending area contravenes the legislative intent of chapters 44 and 95A of the Riverhead Town Code, and

WHEREAS, the Town Board desires to create transfer of development rights to allow for the construction of the previously contemplated sixteen (16) additional units upon the subject property, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board hereby reaffirms those findings originally reached in the approval of the special permit petition of Foxwood Village II, and

BE IT FURTHER

RESOLVED, that resolution #824 of 1999 be amended to have the second condition read as follows:

That any increase in yield be predicated upon the purchase of development rights pursuant to Section 108-180 of the Riverhead Zoning Ordinance (transfer of development right; Riverhead Pine Barrens Credit Program.

COUNCILMAN KENT OFFERED THE RESOLUTION TO BE TABLED, WHICH WAS SECONDED BY COUNCILMAN CARDINALE.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS ☒ **WAS NOT** ☐

THEREUPON DULY ADOPTED

Tabled

Adopted
August 21, 2001

TOWN OF RIVERHEAD

Resolution # 804

AMENDS RESOLUTION NO. 824 OF 1999 – APPROVES SPECIAL PERMIT PETITION OF FOXWOOD VILLAGE II

COUNCILMAN DENSIESKI

offered the following resolution which

was seconded by

COUNCILMAN TULL

WHEREAS, by resolution No. 824 of 1999, the Riverhead town Board did grant the special permit petition of Foxwood Village II to allow the construction of an expansion to an existing mobile home park (Foxwood Village), and

WHEREAS, such approval did limit the construction of pre-fabricated residential units to 78 units with an additional sixteen (16) units to be approved predicated upon the transfer of development rights from the agricultural sending area pursuant to Chapters 44 and 95-A of the Riverhead Town Code, and

WHEREAS, the petitioner has attempted to secure Health Department approval (Article 6) for the additional sixteen (16) residential units, and

WHEREAS, such health department approval has been predicated upon the sterilization of the fee title of real property yielding 2400 gallons of sanitary flow as opposed to the transfer of development rights which would result in agriculture as a residual use, and

WHEREAS, the sterilization of lands within the agricultural sending area contravenes the legislative intent of chapters 44 and 95A of the Riverhead Town Code, and

WHEREAS, the Town Board desires to provide Foxwood Village with a mechanism to allow for the development of the aforementioned sixteen units, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board hereby reaffirms those findings originally reached in the approval of the special permit petition of Foxwood Village II, and

BE IT FURTHER

RESOLVED, that resolution #824 of 1999 be amended to have the second condition reread as follows:

That any increase in yield be predicated upon either the purchase of development rights pursuant to Section 108-180 of the Riverhead Zoning Ordinance Transfer of Development Rights; Pine Barrens Credit Program, or the sterilization of real property pursuant to Article 6 of the Suffolk County Sanitary Code.

COUNCILMAN DENSIESKI OFFERED THE RESOLUTION TO BE OFF THE TABLE, WHICH WAS SECONDED BY COUNCILMAN LULL.

THE VOTE: DENSIESKI, YES, CARDIALE, NO, KENT, NO, LULL, YES, KOZAKIEWICZ, YES. THE RESOLUTION WAS THEREUPON DECLARED TO BE OFF THE TABLE.

COUNCILMAN DENSIESKI OFFERED THE RESOLUTION FOR ADOPTION WITH AMENDMENTS, WHICH WAS SECONDED BY COUNCILMAN LULL.

THE VOTE: DENSIESKI, YES, CARDIALE, NO, KENT, NO, LULL, YES, KOZAKIEWICZ, YES. THE RESOLUTION WAS THEREUPON DECLARED TO BE DULY ADOPTED WITH AMENDMENTS.

July 17, 2001

Adopted
08/21/01

153
Tabled

TOWN OF RIVERHEAD

Resolution # 805

APPROVES CHANGE OF ZONE PETITION OF MID ROAD PROPERTIES

COUNCILMAN DENSIESKI

offered the following resolution which

was seconded by COUNCILMAN LULL

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a change of zone petition from Mid Road Properties to amend the Zoning Use District Map of the Town of Riverhead to provide for the Retirement Community Zoning Use District to the exclusion of the prevailing Agriculture A Zoning Use District to allow for the construction of a retirement community of 126 condominium units and associated infrastructure and amenities, and

WHEREAS, by resolution #580 of 2000, the Riverhead Town Board declared themselves to be the Lead Agency in the matter. And

WHEREAS, the Town Board has referred the petition to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending the granting of the petition, and

WHEREAS, the Town Board has carefully considered the merits of the petition, the SEQRA record created to date, the report of the Planning Department, the report of the Planning Board, the commentary made at the relevant public hearing as well as all other pertinent planning, zoning and environmental information, now

THEREFORE, BE IT

RESOLVED, that in the matter of the change of zone petition of Mid Road Properties, the Riverhead Town Board hereby makes the following findings:

1. That the premises is currently located within the Agriculture A Zoning Use District;
2. That the Comprehensive Master Plan of the Town of Riverhead (McCrosky-Reuter, 1973) contemplated low density residential development of the property;
3. That the lot density residential development designation provides for no more than 4.7 persons per acre;

4. That the proposed use, assuming two (2) persons per unit, would result in a residential yield of 254 persons which conforms to the maximum residential yield of 364 persons;
5. That the change of zone will not impair the orderly development of other properties within the general vicinity; and
6. That the health, safety, welfare, comfort and order of the Town will not be adversely affected by the proposed land use;
7. That the proposed land use will be in harmony with and promote the general purpose and intent of the Town of Riverhead Zoning Ordinance, and

BE IT FURTHER

RESOLVED, that based upon its findings, the Riverhead Town Board hereby determines the action to be Unlisted without a significant impact upon either the natural or social environment and that an Environmental Impact Statement need not be prepared, and

BE IT FURTHER

RESOLVED, that the Riverhead Town Board hereby approves the petition of Mid Road Properties and hereby amends the Zoning Use District Map of the Town of Riverhead to apply the Retirement Community Zoning Use District to the exclusion of the prevalent Agriculture A Zoning Use District upon the subject premises; and

BE IT FURTHER

RESOLVED, that such zoning amendment shall take effect immediately, and

BE IT FURTHER

RESOLVED, that the Town Clerk be authorized to publish and post the attached notice as required by Section 265 of the Town Law, and

BE IT FURTHER

RESOLVED, that the Town Clerk transmit this resolution to the firm of Young & Young, L.S. for the printing of the adopted amendment upon the Zoning Use District Map of the Town of Riverhead.

COUNCILMAN CARDINALE OFFERED THEIR RESOLUTION TO BE TABLED, WHICH WAS SECONDED BY COUNCILMAN KENT.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

THE RESOLUTION WAS ☐ WAS NOT ☒

THEREUPON DULY ADOPTED

Tabled

**TOWN OF RIVERHEAD
NOTICE OF ZONING AMENDMENT**

August 21, 2001

PLEASE TAKE NOTICE, that by resolution adopted on ~~July 17, 2001~~, the Riverhead Town Board did amend the Zoning Use District Map of the Town of Riverhead in order to provide for the Retirement Community Zoning Use District to the exclusion of the prevalent Agriculture A Zoning Use District upon real property located at Middle Road, Riverhead; such real property more particularly described as Suffolk County Real Property Tax Map Number 0600-81-1-1.1.

DATED: July 17, 2001
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

AUGUST 21, 2001 TOWN BOARD MEETING:

COUNCILMAN DENSIESKI OFFERED THE RESOLUTION TO BE BROUGHT OFF THE TABLE, WHICH WAS SECONDED BY COUNCILMAN LULL.

THE VOTE: Densieski, yes, Cardinale, no, Kent, yes, Lull, yes, and Kozakiewicz yes,
The Resolution was thereupon declared to be brought off the table.

COUNCILMAN DENSIESKI OFFERED THE RESOLUTION FOR ADOPTION, WHICH WAS SECONDED BY COUNCILMAN LULL.

The VOTE: DENSIESKI, YES, CARFINALE, NO, KENT, NO, LULL, YES, AND KOZAKIEWICZ, YES.

THE RESOLUTION WAS THEREUPON DECLARED TO BE DULY ADOPTED.

Adopted
08/21/01

07/17/01

Adopted**TOWN OF RIVERHEAD****Resolution # 806****ACCEPTS RESIGNATION OF**
ASSESSMENT CLERK

_____ Councilman Kent _____ offered the following
resolution, which was seconded by _____ Councilman Lull _____

WHEREAS, Maribeth Vail has taken a Leave of Absence on January 3, 2001 through July 3, 2001, and

WHEREAS, the Town Supervisor did receive written notice of her intent to resign dated June 4, 2001

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby accepts the resignation of Maribeth Vail, Assessment Clerk, effective July 17, 2001.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Maribeth Vail, the Assessor's Office and the Office of Accounting.

THE VOTECardinale ☒ Yes ☐ NoDensieski ☒ Yes ☐ NoKent ☒ Yes ☐ NoLull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ No

Adopted

July 17, 2001

TOWN OF RIVERHEAD

Resolution # 807

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF
PUBLIC HEARING – SPECIAL PERMIT OF WILLIAM DREIS &
ANTHONY SPECCHIO AND REFERS THE PETITION TO THE
PLANNING BOARD**

TO BE AMENDED

Councilman Kent

offered the following resolution which

was seconded by Councilman ~~Deusker~~ Lull

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a special permit petition from William Dreis and Anthony Specchio to allow the construction of two (2) restaurants totaling 528 seats located at Route 58, Riverhead, New York; such real property more particularly described as Suffolk County Tax Map No. 0600-118-5-7, and

WHEREAS, by resolution #389 of 1999, the Riverhead Town Board did determine the action to be Type I with potentially significant impacts upon the natural and social environment and that an Environmental Impact Statement be prepared, and

WHEREAS, a scoping hearing was held on March 16, 1999, and

WHEREAS, by resolution #437 of 2001, the Riverhead Town Board did accept as complete a Draft Environmental Impact Statement in support of the petition as prepared by Cramer Consulting Group and dated September, 2000, and

WHEREAS, a hearing was held upon the DEIS on the 30th day of May, 2001 to hear all parties upon the completeness of the Draft Environmental Impact Statement, and

WHEREAS, no public comment was elicited from such hearing, and

WHEREAS, the Planning Department has reviewed the DEIS supporting the special permit petition of William Dreis and Anthony Specchio and has reported that the document adequately addresses the significant environmental issues identified in the final scope of issues prepared by this Board and further provides measures to mitigate traffic impacts upon public highways, and

WHEREAS, by resolution #711 of 2001, the Riverhead Town Board did determine the current action not to have significant adverse impacts upon either the natural or social environment and that a DEIS need not be prepared, now

THEREFORE BE IT

RESOLVED, that the Town Board directs the Town Clerk to refer the special permit petition of William Dreis and Anthony Specchio to the Riverhead Planning Board for its report and recommendation, and

BE IT FURTHER

RESOLVED, that the Town Clerk be authorized to publish and post the attached notice of public hearing in the official newspaper of the Town of Riverhead.

THE VOTE

Densieski ☐ Yes ☐ No Cardinale ☐ Yes ☐ No

Kent ☐ Yes ☐ No

Kozakiewicz ☐ Yes ☐ No

THE RESOLUTION WAS ☐ WAS NOT ☐

THEREUPON DULY ADOPTED

THE VOTE

Densieski ☒ Yes ☐ No Cardinale ☒ Yes ☐ No

Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No

Kozakiewicz ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the 18th day of September, 2001 at 2:10 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider the special permit petition of William Dreis and Anthony Specchio to allow the construction of two (2) restaurants totaling 528 seats located at Route 58, Riverhead; such real property more particularly described as Suffolk County Tax Map Parcel Number 0600-118-5-7.

DATED: July 17, 2001
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

July 17, 2001

Adopted

TOWN OF RIVERHEAD
Resolution # 808

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF
PUBLIC HEARING - SPECIAL PERMIT PETITION OF T.S. HAULERS,
INC.

Councilman Lull offered the following resolution which was
seconded by Councilman
Kent

WHEREAS, Peter S. Danowski, Esq., on behalf of T.S. Haulers, Inc., did make an application for a special permit to operate a wholesale business upon property lying within the Industrial A Zoning Use District and located at Route 25, Calverton, such real property more particularly described as Suffolk County Tax Map Parcel No. 0600-9-1-16.3, and

WHEREAS, the Town Board has referred the petition to the Suffolk County Planning Commission and the Riverhead Planning Board for their recommendation, and

WHEREAS, the Town Board has received the recommendations of the Suffolk County Planning Commission and the Riverhead Planning Board, and

WHEREAS, the Town Board desires to hold a public hearing upon the subject petition pursuant to Section 108-3 of the Town Code,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached notice of public hearing in the official newspaper of the Town of Riverhead.

Abstain **THE VOTE**

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the 7TH day of August, 2001 at 2:10 o'clock p.m. in the afternoon at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider the special permit petition of T.S. Haulers, Inc., to operate a wholesale business on real property located at Route 25, Calverton, New York, such real property being more particularly described as Suffolk County Tax Map No. 0600-9-1-16.3

DATED: July 17, 2001
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

TOWN OF RIVERHEAD

Adopted

Resolution # 809

AUTHORIZES TOWN OF RIVERHEAD TO REMOVE RUBBISH, DEBRIS AND THE CUTTING OF GRASS AND WEEDS FROM PROPERTY PURSUANT TO CHAPTER 96 ENTITLED, "TRASH, RUBBISH AND REFUSE DISPOSAL" OF THE RIVERHEAD TOWN CODE

Councilman Densieski

offered the following resolution,

which was seconded by Councilman Lull

WHEREAS, Section 96-2. B. of the Riverhead Town Code provides that the Town Board may require the removal of rubbish and debris and the cutting of grass and weeds; and

WHEREAS, property located at 350 Hamilton Avenue, Riverhead also known as Suffolk County Tax Map Number 0600/123.00-03-021.00 is not in compliance with the requirements of Section 96 of the Riverhead Town Code; and

WHEREAS, the Town Board of the Town of Riverhead desires to require the removal of the rubbish and debris and the cutting of the grass at SUBJECT property.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Clerk to serve notice upon GEM Real Estate Services Inc., 155 Tennyson Avenue, Westbury, New York 11590 by certified mail, returned receipt requested and by regular mail in a plain unmarked wrapper. Such notice is to consist of a certified copy of this resolution and the attached public notice to property owner; and be it further

RESOLVED, that pursuant to Chapter 96, Section 96-2E., the administration fees of \$740.00 and all actual expenses incurred by the Town of Riverhead to remove the rubbish/debris, grass and weeds shall be assessed against the owner; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to GEM Real Estate Services Inc., 155 Tennyson Avenue, Westbury, New York 11590; the Building Department, Kenneth Testa, P.E., the Tax Receiver's Office and the Office of the Town Attorney.

THE VOTECardinale ☒ Yes ☐ NoDensieski ☒ Yes ☐ NoKent ☒ Yes ☐ NoLull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ No

The Resolution Was ☒ Was Not ☐
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that pursuant to Riverhead Town Code, Section 96 of the Town of Riverhead, hereby requires that you cause the property located at 350 Hamilton Avenue, Riverhead, New York, further described as Suffolk County Tax Map #0600-123.-3-21, to be cleaned of all rubbish, refuse and other debris, and that the weeds and grass be mowed within ten (10) days from the date of this notice.

Noted: Riverhead, New York
July 17, 2001

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Adopted

04/17/01

TOWN OF RIVERHEAD

Resolution # 810APPROVES REQUEST FOR LEAVE OF ABSENCE

Councilman Kent offered the following
 resolution, which was seconded by Councilman Lull

WHEREAS, Cynthia Trent, a P/T Homemaker (Home Aide) has requested a 2-month, non-paid leave of absence from the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that Cynthia Trent's request for a non-paid leave of absence from July 2, 2001 through September 4, 2001 is here by approved subject to the following condition(s):

(1) To facilitate the proper functioning of the Town offices, the employee shall submit written notice to the Town Supervisor of her intent to return to work, resign, retire or other relief at least thirty (30) days prior to the expiration of the leave of absence, and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Cynthia Trent, Nutrition Department, and the Office of Accounting.

THE VOTE

Cardinale ☒ Yes ☐ NoDensieski ☒ Yes ☐ NoKent ☒ Yes ☐ NoLull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ No

RESOLUTION # 811 ABSTRACT #28-01 JULY 12, 2001 (TBM 7/17/01)

offered the following Resolution which was seconded by

FUND NAME		CD-NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 1,301,810.01	\$ 1,301,810.01
PARKING METER	002	\$ -	\$ -	\$ -
AMBULANCE	003	\$ -	\$ -	\$ -
POLICE ATHLETIC LEAGUE	004	\$ -	\$ 1,663.23	\$ 1,663.23
TEEN CENTER	005	\$ -	\$ 176.00	\$ 176.00
RECREATION PROGRAM	006	\$ -	\$ 13,282.02	\$ 13,282.02
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ -	\$ -
AG-FEST COMMITTEE FUND	021	\$ -	\$ -	\$ -
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 1,829.30	\$ 1,829.30
COMMUNITY P.E.T.S. SHELTER	028	\$ -	\$ -	\$ -
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ -	\$ 453.08	\$ 453.08
HIGHWAY	111	\$ -	\$ 161,450.99	\$ 161,450.99
WATER	112	\$ -	\$ 55,475.15	\$ 55,475.15
REPAIR & MAINTENANCE	113	\$ -	\$ 3,000.00	\$ 3,000.00
RIVERHEAD SEWER DISTRICT	114	\$ -	\$ 44,703.35	\$ 44,703.35
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 3,959.94	\$ 3,959.94
STREET LIGHTING	116	\$ -	\$ 5,943.47	\$ 5,943.47
PUBLIC PARKING	117	\$ -	\$ 8,713.42	\$ 8,713.42
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ 3,371.01	\$ 3,371.01
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ -	\$ -	\$ -
CALVERTON SEWER DISTRICT	124	\$ -	\$ 3,844.57	\$ 3,844.57
WORKER'S COMPENSATION FUND	173	\$ -	\$ -	\$ -
HOSPITALIZATION SELF INSURANCE	174	\$ -	\$ -	\$ -
RISK RETENTION FUND	175	\$ -	\$ 1,800.00	\$ 1,800.00
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ 780.18	\$ 780.18
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 707.28	\$ 707.28
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ -	\$ -	\$ -
SEWER DISTRICT DEBT	382	\$ -	\$ -	\$ -
WATER DEBT	383	\$ -	\$ -	\$ -
GENERAL FUND DEBT SERVICE	384	\$ -	\$ -	\$ -
SCAVENGER WASTE DEBT	385	\$ -	\$ -	\$ -
COMM DEVEL AGENCY CAP PROJECT	405	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 5,054.64	\$ 5,054.64
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ 1,761.23	\$ 1,761.23
SENIORS HELPING SENIORS	453	\$ -	\$ 1,508.49	\$ 1,508.49
EISEP	454	\$ -	\$ 1,066.31	\$ 1,066.31
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ -	\$ -	\$ -
MUNICIPAL GARAGE	626	\$ -	\$ 16,686.87	\$ 16,686.87
TRUST & AGENCY	*735*	\$ -	\$ 713,597.65	\$ 713,597.65
SPECIAL TRUST	736	\$ -	\$ 186,500.00	\$ 186,500.00
COMMUNITY PRESERVATION FUND	737	\$ -	\$ -	\$ -
CDA-CALVERTON	914	\$ -	\$ 938.43	\$ 938.43
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ 19,657.92	\$ 19,657.92
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ -	\$ 2,559,734.54	\$ 2,559,734.54

RESOLUTION # <u>811</u> ABSTRACT #27-01 JULY 5, 2001 (TBM 7/17/01)				
offered the following Resolution which was seconded by				
FUND NAME		CD-7/29/01	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ 800,000.00	\$ 64,368.77	\$ 864,368.77
PARKING METER	002	\$ -	\$ -	\$ -
AMBULANCE	003	\$ -	\$ -	\$ -
POLICE ATHLETIC LEAGUE	004	\$ 16,000.00	\$ -	\$ 16,000.00
TEEN CENTER	005	\$ 6,500.00	\$ -	\$ 6,500.00
RECREATION PROGRAM	006	\$ 15,000.00	\$ 310.00	\$ 15,310.00
SR NUTRITION SITE COUNCIL	007	\$ 1,500.00	\$ -	\$ 1,500.00
D.A.R.E. PROGRAM FUND	008	\$ 2,500.00	\$ -	\$ 2,500.00
CHILD CARE CENTER BUILDING FUND	009	\$ 8,000.00	\$ -	\$ 8,000.00
AG-FEST COMMITTEE FUND	021	\$ -	\$ -	\$ -
YOUTH COURT SCHOLARSHIP FUND	025	\$ 500.00	\$ -	\$ 500.00
SRS DAYCARE BUILDING FUND	027	\$ -	\$ -	\$ -
COMMUNITY P.E.T.S. SHELTER	028	\$ -	\$ -	\$ -
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ -	\$ 289.08	\$ 289.08
HIGHWAY	111	\$ 575,000.00	\$ 1,080.05	\$ 576,080.05
WATER	112	\$ 50,000.00	\$ 5,523.59	\$ 55,523.59
REPAIR & MAINTENANCE	113	\$ 325,000.00	\$ -	\$ 325,000.00
RIVERHEAD SEWER DISTRICT	114	\$ 30,000.00	\$ 1,740.35	\$ 31,740.35
REFUSE & GARBAGE COLLECTION	115	\$ 305,000.00	\$ 10.00	\$ 305,010.00
STREET LIGHTING	116	\$ 180,000.00	\$ -	\$ 180,000.00
PUBLIC PARKING	117	\$ 62,000.00	\$ 366.41	\$ 62,366.41
BUSINESS IMPROVEMENT DISTRICT	118	\$ 50,000.00	\$ 400.00	\$ 50,400.00
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ 250,000.00	\$ 5,519.83	\$ 255,519.83
CALVERTON SEWER DISTRICT	124	\$ 60,000.00	\$ 4,618.42	\$ 64,618.42
WORKER'S COMPENSATION FUND	173	\$ 325,000.00	\$ 3,745.96	\$ 328,745.96
HOSPITALIZATION SELF INSURANCE	174	\$ -	\$ -	\$ -
RISK RETENTION FUND	175	\$ 625,000.00	\$ -	\$ 625,000.00
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ -	\$ -
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ 10,000.00	\$ -	\$ 10,000.00
SEWER DISTRICT DEBT	382	\$ 720,000.00	\$ 42,267.60	\$ 762,267.60
WATER DEBT	383	\$ 800,000.00	\$ 1,917.50	\$ 801,917.50
GENERAL FUND DEBT SERVICE	384	\$ 475,000.00	\$ 20,805.00	\$ 495,805.00
SCAVENGER WASTE DEBT	385	\$ 70,000.00	\$ -	\$ 70,000.00
COMM DEVEL AGENCY CAP PROJECT	405	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 2,102.09	\$ 2,102.09
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ 250,000.00	\$ -	\$ 250,000.00
YOUTH SERVICES	452	\$ -	\$ -	\$ -
SENIORS HELPING SENIORS	453	\$ -	\$ -	\$ -
EISEP	454	\$ -	\$ -	\$ -
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ 185,000.00	\$ 6,245.94	\$ 191,245.94
MUNICIPAL GARAGE	626	\$ -	\$ 3,422.31	\$ 3,422.31
TRUST & AGENCY	*735*	\$ -	\$ 1,237,542.87	\$ 1,237,542.87
SPECIAL TRUST	736	\$ 615,000.00	\$ -	\$ 615,000.00
COMMUNITY PRESERVATION FUND	737	\$ 725,000.00	\$ -	\$ 725,000.00
CDA-CALVERTON	914	\$ -	\$ 51,417.26	\$ 51,417.26
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ 350.85	\$ 350.85
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ 7,537,000.00	\$ 1,454,043.88	\$ 8,991,043.88
**FUND 735 INCLUDES 2000-2001 SCHOOL/TOWN TAXES OF \$1,236,542.87				

Adopted

July 17th, 2001

TOWN OF RIVERHEAD

Resolution # 812

APPROVES TEMPORARY SIGN PERMIT OF HALLMARK CHIROPRACTIC

COUNCILMAN KENT offered the following resolution, which was

seconded by COUNCILMAN DENSLESKI

WHEREAS, a temporary sign permit application and sketch were submitted by Richard Hall, for property located at 633 Roanoke Avenue, Riverhead, New York 11901, and

WHEREAS, pursuant to Section 108-56 C(5) of the Town Code of the Town of Riverhead, the application does not require the recommendation of the Architectural Review Board, and

WHEREAS, the sketch has been approved by three (3) Town Board members, now

THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby approves the temporary sign permit application submitted by Richard Hall, dated July 16th, 2001, and

BE IT FURTHER

RESOLVED, that said temporary sign shall be erected for a period not to exceed six (6) month from the date hereof or the issuance of the permit for the permanent sign, whichever first occurs, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Richard Hall, 633 Roanoke Avenue, Riverhead, New York 11901 and the Building Department and Planning Department.

THE VOTE

Densleski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Hart	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozlowski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS NOT
THEREUPON DULY ADOPTED

7/17/01

TOWN OF RIVERHEAD

Resolution # 813

**AUTHORIZES TOWN CLERK TO POST AND PUBLISH PUBLIC NOTICE OF
PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN
AMENDMENT OF CHAPTER 101 (VEHICLES & TRAFFIC) OF THE RIVERHEAD
TOWN CODE**

COUNCILMAN LULL

_____ offered the following resolution,

which was seconded by COUNCILMAN KENT :

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a proposed local law to consider the amendment of Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code, once in the July 26, 2001 issue of **News Review**, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Mark Kwasna, Highway Superintendent; the Riverhead Police Department; the Code Revision Committee and the Office of the Town Attorney.

THE VOTEDensleski ☒ Yes ___ No ___ Cardinals ☒ Yes ___ No ___Kent ☒ Yes ___ No ___ Lull ☒ Yes ___ No ___Kozakiewicz ☒ Yes ___ No ___THE RESOLUTION WAS ☒ WAS NOT ☐**THEREUPON DULY ADOPTED**

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 7th day of August, 2001 at 2:40 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 101 of the Riverhead Town Code entitled, "Vehicles & Traffic" as follows:

§ 101-4. One-way streets.

The streets or portions thereof listed below are hereby designated as one-way streets, and traffic shall travel on such only in the direction indicated:

Street	Direction	Limits
<u>Municipal parking lot</u> <u>roadway between West</u> <u>Marine and the Riverhead</u> <u>Grill</u>	<u>Southerly</u>	<u>From the Peconic River</u> <u>thence northerly to</u> <u>the intersection of</u> <u>Rte. 25</u>

Dated: Riverhead, New York
July 17, 2001

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD**

BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)

7/17/01

TOWN OF RIVERHEAD

Resolution # 814**AUTHORIZING THE TRANSFER OF COUNTY OWNED PROPERTY (NUGENT DRIVE) TO THE TOWN OF RIVERHEAD****COUNCILMAN KENT**

_____ offered the following resolution, was seconded by

COUNCILMAN LULL

WHEREAS, Nugent Drive, a parcel located along Nugent Drive in the Town of Riverhead, is a tax default property owned by the County of Suffolk further described as Suffolk County Tax Map #0600-128-2-8; and

WHEREAS, this property may be transferred to the Town of Riverhead pursuant to General Municipal Law 72-h.

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead hereby authorizes the Supervisor to take all necessary steps to take title to the tax default property; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to County of Suffolk, Department of Law, Allan D. Grecco, Deputy Bureau Chief, P.O. Box 6100, Hauppauge, New York 11788; Honorable Michael J. Caracciolo, Legislator, First District, 633 East Main Street, Riverhead, New York, 11901, Kenneth Testa, P.E., Town Engineer; the Supervisor's Office and the Town Attorney's Office.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD

Resolution # 815**AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST
A HELP WANTED AD FOR PART TIME BUS DRIVER****COUNCILMAN LULL**

offered the following

resolution, which was seconded by **COUNCILMAN KENT**

BE IT RESOLVED, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Ad in the July 26, 2001 issue of The News Review

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to the Accounting Office.

THE VOTE
Densieski ☒ Yes ☐ No Cardinale ☒ Yes ☐ No
Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No
Kozakiewicz ☒ Yes ☐ No
THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

HELP WANTED

1550

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking a qualified individual to serve in the position of Part Time Bus Driver. Applicants must possess a clean valid CDL. Applications are to be submitted to the Accounting Department, 200 Howell Avenue, Riverhead, NY, 11901. No applications will be accepted after 4:00pm on Friday, August 3, 2001. EOE

BY ORDER OF:
THE RIVERHEAD TOWN BOARD
BARBARA GRATTAN, TOWN CLERK

7/17/01

Adopted

TOWN OF RIVERHEAD

Resolution # 816**AUTHORIZES SUPERVISOR TO EXECUTE MODIFICATION OF
AMBULANCE CONTRACT MODIFYING INSURANCE PROVISION****COUNCILMAN KENT**

by _____ offered the following resolution, was seconded

COUNCILMAN CARDINALE

WHEREAS, The Town of Riverhead Ambulance District entered into an agreement with the Riverhead Volunteer Ambulance Corps. on May 3rd, 2001, to provide ambulance services to the Ambulance District; and

WHEREAS, the agreement requires the Ambulance Corps. to maintain certain insurance as set forth in paragraph IV(C)(2) thereof; and

WHEREAS, the parties have determined that this insurance coverage is currently provided through another policy of insurance currently maintained by the Town of Riverhead for the benefit of the Ambulance District; and

WHEREAS, it is fiscally prudent to discontinue said coverage as required therein.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Supervisor to execute the attached modification agreement or an agreement containing similar terms; and

BE IT FURTHER RESOLVED that the Town Clerk be and hereby is directed to forward a copy of this resolution to the Riverhead Town Supervisor, The Riverhead Ambulance Corp., Jack Hansen, Director of Accounting of the Town of Riverhead and the Riverhead Town Attorney.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozlowski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS NOT ☒ **ADOPTED**

THEREUPON DULY ADOPTED

MODIFICATION OF AGREEMENT

between

TOWN OF RIVERHEAD AMBULANCE DISTRICT

and

RIVERHEAD VOLUNTEER AMBULANCE CORPS, INC.

This MODIFICATION of an agreement made the 16th day of July, 2001, by and between the TOWN OF RIVERHEAD AMBULANCE DISTRICT, a municipal corporation having its principal office and place of business at 200 Howell Avenue, Riverhead, NY 11901 (hereinafter referred to as the "Ambulance District"), and the RIVERHEAD VOLUNTEER AMBULANCE CORPS, INC., a not for profit corporation pursuant to IRC §501(c)(3), with mailing address at PO Box 924, Riverhead, NY 11901 (hereinafter referred to as the "Ambulance Corps").

WITNESSETH:

WHEREAS, the agreement requires the Ambulance Corps. to maintain certain insurance as set forth in paragraph IV(C)(2); and

WHEREAS, the parties have determined that this insurance coverage is currently provided through another policy of insurance currently maintained by the Town of Riverhead for the benefit of the Ambulance District; and

WHEREAS, it is fiscally prudent to discontinue said coverage as required therein.

NOW, THEREFORE, in consideration of the foregoing and the mutual promises, covenants, conditions and obligations contained herein and within the underlying agreement, it is hereby agreed by and between the parties as follows:

1. That paragraph IV (C) (2) is deleted and no longer any force and effect; and
2. That the Ambulance Corps. shall forth with cancel said insurance; and
3. That the Ambulance Corps shall return to the Ambulance district any monies refunded to it as a direct result of said cancellation of coverage; and
4. That this modification shall have no effect upon any other provisions of the underlying agreement.

IN WITNESS WHEREOF, the parties hereto have executed this modification of agreement by their respective representatives the day and year first above written.

AMBULANCE DISTRICT

BY: _____
ROBERT KOZAKIEWICZ, SUPERVISOR

RIVERHEAD VOLUNTEER AMBULANCE
CORPS, INC.

BY: _____
BRUCE TALMAGE, PRESIDENT